RELATIONS

AND

OBSERVATIONS,

HISTORICALL and POLITICK,

upon the PARLIAMENT,

begun *Anno Dom.* 1640.

Divided into II. *Bookes:*

1. *The Mystery of the two Junto's*, Presbyterian *and* Independent.
2. *The History of* Independency, *&c.*

TOGETHER WITH

An APPENDIX, touching the proceedings of the *Independent faction* In *SCOTLAND.*

POLIB:

Historici est: Ne quid falsi, audeat dicere:
Ne quid veri; non audeat.

HORAT:

Spe, Metúque procul.

Printed in the Yeare, 1648.

To my dread Soveraigne.

Royall Sir,

YOu have drunk deep in the Cup of affliction, and we all have Pledged you; it is wholsome, though bitter: but let us pray to God to remove this Cup in time, for the dregs and lees are poyson. You have learned by overwinding the strings of authority, how to tune the People of this Monarchy without breaking their patience hereafter. Most Princes desire unlimited power, which is a saile too great for any Vessel of mortallity to bear; though it be never so well Ballasted with Justice, Wisdome, Moderation, and piety, yet one flarb or other wil indanger the

over-setting it. Those Common-wealths are most stable and pleasing where the State is so mixed, *that every man (according to his degree and capacity) hath some* interest *therein to content him.* The KING Soveraigne Command and Power: The Nobility and Gentry, a derivative Authority and Magistracy, *and* all enjoy their Lawes, Liberties, and Properties. *God hath cursed him that removeth the Bound-marks of his Neighbour: this is a comprehensive Curse, Kings inlarging their Prerogatives beyond their limits, are not excepted from it. You may be pleased to take heed therefore of two sorts of men, most likely to mis-lead you in this point. Ambitious Lawyers, who teach the Law to speake, not what the Legislators meant, but what you shall seem to desire: To avoid this snare, suffer your Parliament to nominate 3 men for every Judges place, out of which you may please to chuse one, as in pricking of Sheriffs. For it is the people that are ob-*

noxious

noxious to their wickednesse: you are above the reach of their malice. The second sort is Parasiticall Divinesse: *These Ear-wigs are alwaies hovering in Princes Courts hanging in their eares. They take upon them to make Princes beholding to their violent wresting of the text, to bestow upon them whatever Prerogative the Kings of* Iuda *and* Israel *used or usurped; as if the Judicials of* Moses *were appointed by God for all Common-wealths, all Kings: as a good Bishoprick or Living is fit for every Priest that can catch it. These men having their best hopes of preferment from Princes, make Divinity to be but* Organon Politicum, *an instrument of Government: and harden the hearts of Princes,* Pharaoh-*like: Kings delight to be tickled by such venerable, warrantable flattery.* Sir, *you have more means to prefer them then other men; therefore they apply themselves more to you then other men doe.* Tu facis hunc Dominum, Te facit ille Deum.

The King makes the poor Priest a Lord; and rather then he will be behind with the King in courtesie, he will flatter him above the condition of a Mortall, and make Him a God-Royall. Sir, *permit me to give you this Antidote against this Poyson; let an Act be passed*, That all such Divines, as either by Preaching, VVriting, or Discoursing, shall advance your Prerogative & Power above the known Laws and Liberties of the Land, Forfeit all his Ecclesiasticall preferments *ipso facto*, and be incapable ever after, and for ever banished your Court. *But above all, learn to trust in your judgment*: Plus aliis de te quam tu tibi credere noli: *God hath inabled you to remember things past, to observe things present, and by comparing them together, to conjecture things to come; which are the three parts of wisdome that will much honour and advantage you: God keep your Majesty, so praies*

Your humble Subject,

THEOPH. VERAX.

To his Excellency Sir THOMAS FAIRFAX, *and the* ARMY *under his Command.*

MY Lord and Gentlemen, I have here by way of *preparation* laid open to your view, those *ulcers* which you have undertaken to *cure*, *viz.* The 2 *factions in Parliament*, Authors of *schismes* and *divisions* in the *two Houses*, from whence they are derived to the whole Kingdom, to *the obstructing of justice*, and of *the establishment* of our *Laws*, *Rights*, *Liberties*, and *Peace*, *the enslaving of the Parliament* it self, and *the dilapidating of the publique Treasure*: whereby the *whole Kingdome* may be *enfrachised*, *secured*, *and united*: and *the* King *and His Posterity settled in His due Rights*. Which is the sum of all your undertakings in your many reiterated *Papers*. I confesse a *Herculean* labour, and far beyond his clensing of the *Augean* Stable. That was performed *by an Arme of Flesh*, This cannot be *effected without an extraordinary calling* (for *ordinary calling thereto* you have none; and God seldome blesseth a man *out of his calling*) and though an *heroick heat and Zeale* may go far, yet *it will tire many miles on this side the work*, *unlesse it be blown and inspired with divine breath*. And as *Alchymists* say of the *Philosophers Stone*, so I of this work (which is the *Philosophers Stone* in our *English Politicks*) *It cannot be effected but by a man of wonderfull and unspotted integrity and innocency*; *free from all fraud*, *self-seeking*, *and partiality*. In order to this great work you have already begun to sift and winnow *the House of Commons* by *charging* 11 *Presbyterian Grandees*: who, if they be proved *guilty*, must needs have their *counterpanes equally faulty*, even

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to a syllable, in the opposite *Junto* of *Independents*: for when *two Factions* shall conspire to tosse and keep up the *golden ball* of *Government*, *profit* and *preferment* between them, neither can be innocent; unlesse therefore you apply your corrasive to one ulcer as well as the other; you will never work a compleat cure, *Nor will be free from scandall and appearance of faction or designe* (that I may use your own words) *to weaken only one Party* (under the notion of unjust or oppressive) *that you may advance another more then your own*. Besides it is observed, that you speak but coldly to have *the Publique Accounts of the Kingdome Stated*; putting it off with a wish onely, as if you did secretly fear what the Presbyterians openly say, *that the Independents are guilty of more Millions then their Party*: your own words are, *We could wish the Kingdome might both be righted and publiquely satisfied in point of Accounts for the vast sums that have been Leavied: as also in many other things, &c. But we are loath to presse any thing that may lengthen disputes.* Are so many Millions to be cursorily passed over without dispute? were they not the bloud and teares of the exhausted people, and the milk of their Babes? are they not like *Achans* wedge amongst us? would it not much ease the people of their burthens, and go far in the payment of Souldiers and Publique debts, to have both the KING's and the *Parliaments sponges* (of what Party and Profession soever) squeezed into the Common Treasury whensoever the Common-wealth settles? Review this clause well, and as the Parliament hath altered some Votes for you, so do you alter this clause for the people; who long not only to see the Kingdome, but also our new-made Gentlemen *in statu quo prius*. Gentlemen, you that will give counsel will take it, without offence, against him that dares lay as good claime to justice and honesty as your selves.

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tation.
§. §.2.

§.14.
7.

THEODORUS VERAX.

To the un-byassed Reader.

Ou that are byassed with self-respects *I write not to, you have your Aimes; and you Ends (before you are aware, like Shot, not feared till felt) will come upon you. To the* upright in heart, *though* mis-led in judgment, *I speak: Consider how by a* prevaricating number of Grandees *our* first principles *are altered; our* Religion into Schisme, *and* hypocriticall profaneness; *insomuch that* the Lords Supper *is now almost every where* discontinued, *for want of (I know not what) imaginary* Utopian holinesse; *The* Creed, Lords Prayer, *and* Ten Commandements *(the instruments of* faith, hope, charity, *teaching,* Omnia credenda, speranda & facienda) *left out of the* Directory. *Thus much for* Religion.

Our known Lawes *(being the* second Principle *held out to the People by* the Nationall Covenant, *and many* Declarations) *are turned into* Arbitrary, emergent, and up-start Orders and Ordinances *of Parliament; every day rising, and every day withering like Mushromes. So that we are now governed* Jure vago & incerto, *by a leaden* Lesbian rule, *to which we cannot square our obedience and actions, but must stay till the* Grandees *that guide the Legislative* power of Parliament *make application of them to our actions. A great misery.*

The third Principle *is our* Liberties. *What is become of them, this little* Treatise *will tell you, as also of our* Properties.

perties. *But ſtay! methinks I hear men ſay, That the clamour and danger mutining at the Parliament dore theſe two laſt Weeks, hath humbled our* Grandees, *and made them ſeek the Lord with* Faſting and Prayer. *I anſwer, Let me tell you what ſucceeded in the* Houſe of Commons, *when a* Letter *and* Declaration *from the* Army *being tendred to be read, ſome of the* Grandees *Anſwered,* That if they ſhould read thoſe Demands, they might chance to find them of that nature, as they can neither with juſtice deny them, nor with honour grant them, becauſe it was not honourable for them to doe their duty upon admonition of their Army, being but their Servants, and would ſavour of compulſion. *To prevent this, they reſolved to take into conſideration freely, and of their owne accord, the* Grievances *which ſcandalized the people. They went therefore upon 3 Heads:*

1. The ſelf-denying Ordinance. *Upon which they Voted (as they ſaid by a Preparatory Vote onely)* That all Members holding any Offices, Grants, or Places by conceſſion of the Parliament, ſhall account for, and pay in the profits thereof to the Grand Committee of Accounts. *This I conceive (under favour of the Grandees, who poſſeſſe thoſe Places, and contrived this Vote) to be a meer diluſory Order: For who can beleeve that ſuch ſelf-ſeeking men, as all men know them to be, will execute thoſe Offices for nothing, and pay in, to the uſe of the State, their profits? Beſides, it is apparent how ſubſervient to theſe* Grandees, *their owne creatures,* the Committee of Accounts *are.*

2. *They Voted,* That no Money hereafter ſhould be given to any Member in compenſation or recompence of his Loſſes, untill the Publique Debts be paid. *Here the Grandees were in earneſt, becauſe their own turns are already*

already served, and the losse and inconvenience of this Vote falls onely upon the much contemned middle or moderate Members.

3. *They appointed a Committee to consider how to take off the Grievance arising from such Members as abusing the Priviledge of Parliament, refuse to pay their debts.*

Proh Superi! quantum mortalia pectora cæcæ
Noctis habent; Ipso sceleris molimine Tereus
Creditur esse pius; laudémque à crimine sumit.

Let not the Grandees be offended, that I discover those sicknesses which they labour to cover; Ante morbos, necesse est, cognitos esse quàm remedia eorum. *God onely can be the* Æsculapius *and cure them. But I am afraid they desire rather a slight suppurating, then a perfect cure; and that they pray rather to hide, then help their evils.*

———Da fallere, justum, sanctúmque videri,
Noctem peccatis, & fraudibus objice nubem.

If this be their condition, quos perdere vult Jupiter, hos dementat; quos tueri vult, suscitat. *I have done my duty even in this generation,* quando dicere quod nolo miserum, quod volo & debeo periculosum, *I leave the successe to God, resting,*

Thine,

THEODORUS VERAX.

The Myſtery of the Two *Junto's*, PRESBYTERIAN and INDEPENDENT.

THe Kingdome being overgrown with *Prerogative*, *Corruption*, and *Superſtition*, (the fruits of a long and lazie peace) by a long diſcontinuance of Parliaments: At laſt by Providence His Majeſty was neceſſitated to call a Parliament, the onely Colledge of Phyſitians to purge the much diſtempered body of the Common-wealth. 1.

In this Parliament, a conteſt between the *King's Prerogative*, and the *Peoples Laws* and *Liberties* begat a War. The *Divines* on both ſides, out of their Pulpits, ſounding Alarme thereto: and not only *Sermons*, but *Declarations of Parliament*, and *the Nationall Covenant*, holding forth to the people the *defence of Religion*, *Laws*, *Liberties*, and *Properties*, inflamed the people to the rage of battell, as the Elephant is inraged at the ſight of *red*. This War occaſioned extraordinary Taxes and leavies of money, ſuch as were never heard of by our Anceſtours, and were *Irritamenta malorum*, the nurſe of our Corruptions. 2.

This incentive working upon the humane frailty of the ſpeaking and leading Members of the Houſes, cauſed them firſt to interweave their particular intereſts & ambitions with the publick; and laſtly, to prefer them before the publick. 3. Grandees.

Wherefore the ſaid *leading men* or *Grandees* (for that is now Parliament language) Firſt divided themſelves into *two Factions* or *Junto's*, PRESBYTERIANS and INDEPENDENTS; ſeeming to look onely upon *the Church*, but (*Religion* having the 4. Factions.

 ſtrongeſt

strongest operation upon the spirit of man) involved the interests of the *Common-wealth.*

5. The common people of the two Houses following (with an implicite faith and blind obedience) the example of their Leaders, divided themselves also into the said *Dichotomy*; which they did with more seriousnesse then their Leaders, as not perceiving any thing of designe therein: But according to the diversity of their judgments, or rather fancies and confidings (for to resigne a mans judgment to the opinion of another man is but a silly trust and confidence) studied the upholding of their parties with earnestnesse; whilst the *Grandees* of each party in private close together for their own advancement, serving one anothers turn.

6. The *Grandees* (in all publique Debates) seem as reall in their reciprocall oppositions, as those silly ones who are in earnest, whereby they cherish the zeale of their respective Parties, keep them still divided, *(Divide & impera* is the Devils rule) and so amuse them, and take them off from looking after other Interests, in which, were they conjoyned, they might share with the *Grandees* themselves: and for the better contentment of such their *Confidents* as look too intentively after their own gain, the *Grandees* of each *Junto* confer something of advantage upon those that are subservient to them, as five pounds a Week, or some petty imployment.

7. The seeds of these *factions* spread themselves into the Common-wealth and Armies, as rheume distils from the head into all the body.

8. Monopolizing profits and preferments. Thus the leading men or Bel-weathers having *seemingly divided themselves*, and having *really divided the Houses*, and captivated their respective Parties judgment, teaching them by an Implicite faith, *Jurare in verba Magistri*, to pin their opinions upon their sleeves; They begin to advance their Projects of Monopolizing the profits, preferments, and Power of the Kingdome in themselves. To which purpose, though the Leaders of each Party seem to maintain a hot opposition, yet when any profit or preferment is to be reached at, It is observed that a powerfull *Independent* especially moves for a *Presbyterian*: or a leading *Presbyterian* for an *Independent*: and seldom doth one oppose or speak against another, in such cases, unlesse something of particular spleen or competition

competition come between, which causeth them to break the common Rule. By this means the *Grandees* of each Faction seldome misse the mark, since an *Independent* moving for a *Presbyterian*, his reputation carries the businesse clear with the *Independent party*: and the *Presbyterians* will not oppose a leading man of their own side. By this artifice the *Grandees* of each side share the Common-wealth between them: And are now become proud, domineering *Rehoboam's*, even over the rest of their fellow-Members, contrary to the liberty of Parliament, (which consists in an equality) that were formerly fawning, ambitious *Absaloms*.

There hath been lately given away to Members openly (besides innumerable and inestimable private cheats mutually connived at) at least 300000l. in Money; besides rich Offices, Imployments in money Committees, Sequestrations, and other advantages. And those Members who have so well served themselves under colour of serving the Publique, are, for the most part, old Canvasers of Factions, who have sate idlely and safely in the House watching their advantages to confound businesses, and shuffle the Cards to make their owne game, when others that have ventured their persons abroad, labour'd in the publick work like *Israelites* under these *Ægyptian Task-masters*, and lost their Estates, are left to starve, untill they can find relief in that empty Bag called by Fools *Fides publica*, by wise men *Fides punica*. And are now looked upon in the House superciliously, like unwelcome guests, (for it is known how malignantly and how juglingly *Writs for new Elections* were granted and executed) and called *younger Brothers*, and like younger Brothers they are used: their elder Brothers having slipped into the world before them, and ancipitated the inheritance; they have broken first into the common field, and shut the dore to prevent after commers even from gleaning after their full harvest. For the better effecting whereof they have now morgaged, in effect, all the meanes they have to raise money, unto the City. And being themselves fat and full with the publique Treasure, to expresse rather their scorn then care, they are making an Ordinance, *That no more Money shall be given to their Members*: And yet to shew how carefull they are of all such as have *cheated* the Common-wealth *under them*, I will.

will not say *for them*, They have taken advantage of the Petition of the Army; wherein *they desired Indempnity for all Acts done in Relation to the Warre*. And have passed an Ordinance of Indempnity for all such, as have acted *by authority* and for the *service* of the Parliament, wherein, under great penalties, and with an appeale at last from the Judges of the Law to a Committee of Parliament, such as have gone beyond the authority given by Parliament, and sequestred men unjustly, and so withheld their goods under pretence thereof, and such as have leavied Taxes three or four times over, are quit from private actions: and the benefit of Law and Justice taken from the Oppressed, to secure *Countrey Committees, Sequestrators*, and others (not *Prerogative*, but *Legislative*) *Thieves*; contrary to *Magna Charta*, which saies, *Nulli negabimus, nulli differemus justitiam, aut rectum*, We will deny, nor defer justice and right to no man. Oh prodigious acts, and of greater tyranny then any King ever durst adventure upon! What is become of our *Nationall Covenant* and the Parliaments many *Declarations* for *defence of Lawes and Liberty*? Or have we fought our *liberty* into *slavery*? By these devices the *honest middle men* of the House (whose consciences will not let them joyne in any Faction to rend the Common-wealth in sunder) are out of all possibility of repaire, and made contemptible as well by their owne wants, as the pride of the Grandees: and in the end, their poverty will inforce them to leave the sole possession of the House to these *thriving Junto men*, who do beleaguer them therein, making them (for farther addition to their losses) pay all Taxes, from which the thriving men go free: so that the poorer part of the House payes tribute to the richer. Nay, it is farther whispered, that at last the *Junto men* will quit the Parliament Priviledge of not being sued, purposely to leave these younger Brothers to the mercy of their Creditors, and dis-able them to sit in their House.

10. Committees of Houses.

Another ambitious ayme of those *Junto men*, is, their device of referring all businesses of moment *to Committees*. For the active speaking men by mutuall agreement naming one another of every Committee (or at least their confident Ministers) do thereby *forestall and intercept* the businesses of the House, and under colour of examining and preparing matters, they report them to the House with

with what *glosses, additions, detractions*, and *advantages* they please, whereby the *House (judging according to their report)* oftentimes mis-judgeth, and *if it be a businesse they are willing to smother*, the *Committees* have infinite *artificiall delaies* to put it off, and *keep it from hearing*, or at least, from *reporting*. By this meanes the *remaining part of the House* are but *Cyphers to value*, and *Suffragans to ratifie what is fore-judged by the said Committees.*

This usurpation of theirs is much helped *by keeping the Dores of their Committee Rooms shut*, and dispatching all affaires privately and in the dark: whereas *justice* delights in the *light*, and ought to be as publique as the common ayre, it being against its nature to be *chambred* up and kept from the observation of eye, and ear-Witnesses.

And by their *examining men against themselves*, contrary to *Magna Charta*, they much inlarge their power.

Part of this project we may well call the *multiplicity of Money Committees*, as *Gold-smiths-hall, Haberdashers-hall*, the *Committee of the* KING'S *Revenues, Committee of the Army, &c.* Where every mans *profit* and *power* is according to his *cunning* and *conscience*. Hereby they draw a generall dependency after them, for *he that commands the Mony, commands the Men*: these *Committee-men* are so powerfull that they over-awe and over-power their *fellow-Members*, contrary to the nature of a *free Parliament*; wherein the equality of the Members must maintain the freedom and integrity thereof, and suppresse Factions. 11. Money Committees.

The like may be said of such *Members as* (in scorn of the *self-denying Ordinances*) *hold Offices by gift or connivence* of the Parliament; either *openly* in their own name, or *secretly* in the name of some friend. Their *Offices* inabling them to doe *courtesies* and *dis-courtesies*. And although there hath been a *Committee* appointed *to certifie all Pensions, Sequestrations, Offices, Imployments of advantage and profits conferred by the Parliament upon any* their *Members*, in which Committee Master *Sands* holdeth the Chaire; yet is this meerly a formality to blind the eyes of the world, and foole the expectation of some losing Members, who were then resolute to know who had already received satisfaction for their *losses*, and how far they had outrun their fellow-Members therein. Yet this Committee is now let fall, no *reports* demanded 12. Members holding Offices, &c.

of Mr. *Sands*: and when any is to be made, they are not unprovided of a means to make it fruitlesse, by putting every particular to debate: well knowing that no man will be willing to argue against the particular persons and merits of his fellow-Members, and therby heap *envy upon his own head*; besides the delay of a *particular Debate*.

13. untry Comtees.

How frequently the *Country Committee* act *contrary to the Laws of the Land*: how they trample *Magna Charta* under their feet, how boldly and avowedly they transgresse all Orders and Ordinances of Parliament, and break our *Solemne League and Covenant*, how they ordinarily turn *wel-affected men out of their Freeholds and Goods, Imprison and beat their Persons without any known Charge, Accuser, or Witnesse against them*: nay, *murther them*, as in the case of Doctor *Rawleigh* killed in Prison at *Wells* by the * Committees Marshall. And the poor men murthered at *Bridgewater*, whose blouds were shed like the bloud of a Dog, and no reall prosecution therefore.

Barret a rshall.

How frequently they leavy one Tax three or four times over, and continue their Leavyes after their Ordinances expire.

How cruelly they raise the 20 and 5 part upon the *wel-affected*; exercising an Illegall, arbitrary, tyrannicall power over their fellow-Subjects, far higher then ever *Strafford* or *Canterbury* durst advise the KING to.

How ignorantly and unjustly they exercise a power *to hear and determine*, or rather to determine without hearing, or hear without understanding, *private Controversies* of *Meum & Tuum*, for *Debts, Trespasses*; nay, *Title and Possession of Lands* without either formality or knowledge of the Law, not having wit, manners, nor breeding enough (as being chosen for the greatest part, *out of the basest of the people* for base ends) to satisfie men with an *outside*, or *complement of justice*; insomuch that nothing is now more common, then *an Accusation without an Accuser, a Sentence without a Judge, and a Condemnation without a Hearing*.

How they exclude all other Magistracy, ingrossing to themselves *the power of Sheriffs, Justices of Peace, Church-Wardens, &c.* in an arbitrary way by keeping Troups of Horse upon Pay and Free-quarter for their Guards, like the 30 Tyrants of *Athens*: and if any man but speak of *calling them to give an Account*, they

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presently Vote him *a Delinquent*, and *sequester* him. If any man, I say, be so deaf as not to hear the loud universall out-crying of the people; so great a stranger *in our Israel* as not to know these truths, let him peruse Mr *Edward Kings Discovery of the Arbitrary actions of the Committee of* Lincolne, *and the Heads of Grievances of Glamorgan-shire*, printed 1647. where he may see these things briefly Epitomized: But to historize them at large would require a Volume as big as the Book of *Martyrs*. These Committees are excellent spunges to suck money from the people, and to serve not onely their owne, but also the covetous, malicious, ambitious ends, of those that raked them out of the dunghill for that imployment, and doe defend them in their oppressions. Who is so blind as not to see that these men have their *Protectors?* The *Dæmones* to whom they offer up part of their rapines; to whom they sacrifice,

Occulta spolia, & plures de pace Triumphos.

If there be any intention to *restore our Lawes and Liberties*, and *free us from arbitrary Government*; it is fit these *Committees* and *all Associations be laid down*, having no Enemy to associate against, and that the *old forme of Government* by *Sheriffs, Justices of the Peace, &c.* be re-established; and the *Militia* in each *County* setled as before, in *Lieutenants*, and *Deputy-Lieutenants*, or in *Commissioners*.

The rather, because the people are now generally of opinion, *They may as easily find Charity in Hell, as Justice in any Committee; and that the King hath taken down one Star-Chamber, and the Parliament hath set up a hundred.*

Nor is it a small artifice to raise Money by so many several and confused Taxes. Whereas one or two waies orderly used and well husbanded, would have done the work. 14. Taxes.

1. *Royall Subsidie of* 400000l.
2. *Pole-money.*
3. *The free Loanes and Contributions upon the Publique Faith amounted to a vast incredible sum in Money, Plate, Horse, Arms, &c.*
4. *The Irish Adventure for sale of Lands the first and second time. And a Contribution or Publick Collection for relief of distressed Protestants in* Ireland, *whereof little went the right way.*
5. *The Weekly Meale.*

6. *The City Loane after the rate of 50 Subsidies.*

7. *The Assesment for bringing in the Scots.*

8. *The 5 and 20 part.*

9. *The Weekly Assesment for my Lord Generals Army.*

10. *The Weekly (or Monthly) Assesment for Sir* Thomas Fairfax *Army.*

11. *The Weekly Assesment for the Scotish Army.*

12. *The Weekly Assesment for the British Army in* Ireland.

13. *The Weekly Assesment for my Lord of* Manchesters *Army.*

14. *Free-quarter* (at least) connived at by the State, because the Souldiers having for a time subsistence that way, are the lesse craving for their Pay: whereby their Arrears growing stale, will, at last either be frustrated by a tedious Committee of Accounts, or forgotten. In the mean time, the Grand Committee of Accounts discount it out of the Commanders Arrears, whereby the State saves it.

15. *The Kings, Queens, and Prince's Revenue,* heretofore sufficient to defray the ordinary charge of defending the Kingdom, and supporting the KING's honour.

16. *Sequestrations and Plunder by Committees,* which if well answered to the State, would have carried on the work: which thus I demonstrate, *One half of all the Goods and Chattels, and (at least) one half of all the Lands, Rents and Revenues of the Kingdome have been Sequestred.* And who can imagine that one half of the Profits and Goods of the Land will not maintain any Forces that can be kept and fed in *England* for the defence thereof?

17. *Compositions with* 80000 *Delinquents, and Fines.*

18. *Excise upon all things.* This alone if well managed would maintain the War. The *Low-Countries* make it almost their only support.

19. *Fortification Money.*

20. *Bishops, Deanes and Chapters Lands sold, and Forrest Lands.* Though the *Duke of Florence* be the most exact Prince in Christendome in *fleeing* his people, yet he doth not *flea* them as these our Butchers doe.

By these severall waies and Taxes, and many more daily invented, about 40 millions in money and money-worth have been milked from the people: and the Parliament (as the Pope did once)

once) may call *England*, *Puteum inexhaustum*; yet is it now almost drawn dry. A vast Treasure, and so excessive, as nothing but a long Peace could import; and nothing but much fraud and many follies could dissipate. And we ought not to wonder if it be accounted *inter arcana novissimi imperii* to be alwaies making, yet never finishing an account thereof.

And as they have artificially confounded the accompts by laying on multiplicity of Taxes; so (for the same reason) they let the money run in so many muddy, obscure channels, through so many Committees and Officers fingers, both for collecting, receiving, issuing and paying it forth, that it is impossible to make or ballance any publique account thereof: and at the least one half thereof is known to be devoured by Committees and Officers; and those that for lucre protect them. By these meanes as they make many men partners with them in the publique spoiles, so they much strengthen and increase their party, whereby *multitudo peccantium tollit pœnam.* 15. Accounts.

If these things were not purposely done, Accounts again.

1. Our Taxes would be fewer in number, and more in effect.

2. They would be put to run in one channel, under the fingering of fewer Harpies, and perspicuous and true Entries made of all receipts and disbursments, which would be publick to common view and examination. The Exchequer way of Accompts is the exactest, antientest, and best known way of account of *England*, and most free from deceit: which is almost confessed *de facto*, when, to make the KING's *Revenue* more obnoxious to their desires, they took it out of the Exchequer way (contrary to the Fundamentall Lawes of the Land; for both the Higher & Lower Exchequer are as antient and fundamentall as any Court in *England*) and put it under a Committee, which, as all other Committees doe, will render an account of their stewardship at the latter day. In the meane time divers of that Committee buy in old sleeping Pensions which they pay themselves from the first of their arrears: yet other men that have disbursed money out of their purses for the *Kings service*, can receive no pay for any money laid forth before *Michaelmas Terme*, 1642, because (forsooth) then the Committee first took charge of the Revenue. In the mean time the KING's *Tenants* and *Debtors* are deprived of

the benefit of the *Lawes and Liberties of the Subject*, which before they enjoyed: all *Debts* and *Monies* being now raised by the terrour of *Pursuivants* and *Messengers*, whose *Commissions* are only *to Distrain and Leavy, &c.* whereas formerly the Exchequer sent out legall Processe, and the Tenant or Debtor had liberty to plead to it in his own defence, if he thought himself wronged; but now *new Lords, new Lawes*, and to countenance their doings, the Committee hath gotten an addition of some Lords to them.

3. If there were faire play above board, so many Members of both Houses would not be ambitious of the trouble and clamour that attends *Task-masters, Publicans*, and such sinners as sit at the *receipt of Custome*, being no part of the businesse, for which the Writ *summons*, or the people chuse or trust them, and whereby they are diverted from the businesse of the House: but would leave that imployment to other men, who not having the character and priviledge of Parliament upon them, will be lesse able to protect themselves and their Agents from giving publick accounts of their receipts and disbursments, and from putting affronts and delaies upon the *Committee of Accounts*, as (it is well known) some of them have done.

Lastly, it is scandalous that the same men should be continued so long in their money imployments, because *Diuturnitas & solitudo corrumpunt Imperia*; and by long continuance and experience they grow so hardned, so cunning in their way, and so backed with dependencies, that it is almost impossible to trace them. And although (when we look upon the many persons imployed) we cannot say there is *solitudo personarum*; yet when we consider that by a long Partnership in their imployment they are allied together in *one common Interest*; they are to be esteemed but *as one man*, for *a Corporation of men is but many men joyned together as one man, and with one mind pursuing one and the same end or Interest.*

16. And though they have a *generall Committee of Accompts*, yet they were nominated by those *Members* that ought to give Accompts; and it must needs be suspitious for an *Accomptant* to chuse those persons before whom he shall *accompt*. And we see (after so long a time *of their sitting*) no *fruit* thereof. Whereas the

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the people did hope, *that after so much Mony spent, and such great Debts and Arrears left to pay*, (whereby they are threatned with a *continuance of their Taxes*) *That a full and exact generall Accompt of all Receipts and Disbursments would have been published in Print, for their satisfaction*, as is usually done in the *Low-Countries*, and as was once done by this Parliament, *Anno* 1642. by a *Decluration of the Accounts of the Kingdome*.

But, it may be the *Synod* in favour of the *Grandees*, have voted that place in Scripture, [*Render an account of thy Steward-ship*] to be but Apocryphall.

By these exorbitant courses, though they have drained 40 *millions* from the people, yet (as *Philip of Macedon* was said to be *Inter quotidianas rapinas semper inops*) they are falne to such ridiculous want and beggery, that they have lately pawned almost all the security they have, *for* 200000l. *to Disband the Army*, and enter upon the *Irish imployment*. They have slit *Goldsmiths-hall* in sunder, and given *one side* thereof *to the City*, and kept the *other half* for *themselves*, and that already charged with 200000l. at least. So that if any sudden occasion happen, they have put their *Purse into the hands of the uncircumcised Jewes of the City*, and cannot raise *one penny* but by *new Taxes upon the people*. It was worth observing to see how officiously some of the *old Stagers* took leave of the *publick Purse*, before it came into *Hucksters hands*: Alderman *Pennington* had a debt of 3000l. he owed to Sr *J. Pennington* forgiven him, (he never asked forgivenesse of his sins more heartily) and 3000l. more given him out of *Goldsmiths-hall* in course. The reason of this bounty was forked or two-fold:

17. Wants of the Parliament, and how occasioned.

1. *Because he had got enough before.*

2. *To comfort his heart, for being left out of the City Militia.*

But the most observable thing was, to see this *old Parliament* like a young Prodigall, *take up Money upon difficult terms, and intangle all they had for a security.*

1. They gave way to the City to hedge in an old Debt, being a loane of money after the rate of 50 Subsidies: and other old Debts.

2. Whereas 200000l. onely was the summe to be borrowed; the City injoyned them to take up 230000l. whereof the odde 30000l. to be bestowed for relief of decayed occupiers of the

the *City*; So that, upon the matter, *the Parliament payes* 30000.l. *Broakage.*

3. That *the City* may not trust the *greatest unthrifts* of Christendome with laying out their *own money*; they put upon them *two Treasurers of the City to receive and disburse it for the service for which it was borrowed.* So ye see they have now neither *credit, money*, nor a *purse* to put it in.

So that the *modest Members* who have beene more forward to help *their Countrey* then themselves, *are* left *in the lurch for their losses*, and exposed to the laughter of their *Elder Brothers*, the old *Junto men*, and *Factious leaders* of the *House*; all being now morgaged to the *Lombards* of *the City.* The *thriving Members* hope their *younger Brothers* will continue as modest, as they have been, and *digest all with patience.* But others, and those neither *Fooles* nor *Knaves* hope all the *modest and middle men* of the *Houses*, such as are ingaged in *no faction*, will be provoked hereby to draw into a *third party* or *Junto*, to moderate the excesses of the *other two*, when any thing *prejudiciall to the Common-wealth is Agitated*: And to call the old *Junto* men, those *land-Pyrates to account*, making them *cast up* what they *have swallowed*, and bring it to a *Common dividend.* Or rather to *pay the Army and publique debts*, whereby the people may be *eased of their pressures.* Nor let them be *discouraged* with the *supposed difficulty hereof*, since 20. or 30. men holding together, and observing the *crosse Debates* and different sway of *each party*, may easily make themselves *Moderators of their differences*, and turne the scales *for the best advantage of the Common-wealth*, which way they please to cast in *their Votes*, since it is very rare to have any question carried by more then *eight* or *ten Voyces.*

19. Grandees provision to save themselves.

Most of these *Grandees* are reported to have for *their retreate, houses in the Low Countryes richly furnished with sequestred Plate, Linnen, and Stuffe:* And *great store of money in Bank for their shelter*, against such stormes as *their Rapine, Tyranny*, and *Ignorance* may happily *raise here amongst us.* In those their retirements, these Authors of our miseries will injoy *their sinnes*, and *our spoyles in security*, attending an opportunity to *purchase their Peace* at last, and betray our *Safeties and Liberties* to the inraged *Prince and people.* This is called *robbing the Egyptians.* And doubt-

doubtlesse these ambitious *state-Mountebanks* have brought us into a darknesse *worse then Ægyptian.* The text saith, *the Ægyptians rose not from their places in three dayes:* They yet knew where they were; which is more then we do, every man being out of his place and rank. The *Servant* in place of his *Master*, the *Begger* in place of the *King*, the *Fool* in place of the *Councellour*, the *Theef* in place of the *Judge*, the *Cheater* in place of the *Treasurer*, the *Clowne* in place of the *Gentleman*; none but God alone can play *Dædalus* part, & *give us a Clue to lead us out of this Labyrinth*, into which these unpolitique *Hocus Pocasses* have brought us. These unskilful work-men that have built up *Babel*, and pulled downe *Sion.* Others are said to *prepare forraigne Plantations for Retreat*; To people which, *Children are ravished from their Parents armes, and Shipped away*; an abomination not known in *England* before, and therefore no competent Law made against it; no more then in ancient *Rome* against *Parricides.*

By what hath been already said, you see what the *severall* and what the *conjoyned interests* of these *two Junto's* or *Factions*, *Presbyterian* and *Independant* are. Let us now consider where *their severall strength* lies. The *Independant* groundeth his strength upon the *Army*, which if he can keep up, he hopes to give *the Law to all*; and to produce that great Chymæra, *Liberty of Conscience*: not considering that the confusion and licentiousnesse of such a liberty will destroy it selfe, *Libertas Libertate perit.* The *Presbyterians* have three *pillars* to support them.

20. Grandees the several interest, and design and strength

1. *The City* is their chiefe foundation, with which they keep *a strict correspondencie*, and *daily communication of Councells.* Upon this consideration, they have lately put the *Parliament Purse* into the *Cities Pocket* as aforesaid; setled and inlarged the *City Militia.* Whereas all the *Countreyes* of *England* (being more obnoxious to injuries then the *City*) *suffer much* for want of *setling their Militia*; the *Parliament* not trusting them *with Armes*, so much as for their own *defence*: An evident signe, there is a farther design then *Disbanding this Army.* And because the *Citie Militia*, can onely keep in awe the adjacent *South* and *East Countyes* of the *Kingdome*: Therefore to suppresse the *Remoter parts*, and inforce them to *Obedience*, they keep up some *in-land Garrisons*, and have the *Scots* and *G. Peyntz supernumerary Forces*,

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for the North. And in *the West* (under colour of *sending men for Ireland*) they keep upon *Free-quarter* and pay of the Country, *many supernumerary Regiments* and *Troups*, most *Cavaliers*; at least five times as many as they really intend to transport. These are *alwaies going*, but *never gone:* Like St GEORGE, *alwaies in his saddle, never on his way.* Something ever is and shall be wanting untill Sir *Thomas Fairfax's* Army be *Disbanded*; and then (it is thought) the disguise will fall off; and these *supernumeraries* shall appear a *new modelled Army* under *Presbyterian Commanders*, you may be sure: and such whose consciences shall not befool their wits where any matter of gain appeareth; If this be not their ayme, Why did they not disband these lewd Supernumeraries before last Winter, since they might have raised as many men the Spring following for half the charge their very *free-quarters* cost? And most of these swear they will not go for *Ireland*, vowing *they will cut the throats of the Round-heads.*

The Country is amazed, fearing these Cavaliers are kept on *free-quarter by a Cavalierish Party* for some *Cavalierish Designe.*

Secondly, why did they not rather divide St *Thomas Fairfax's* Army into *two parts*, one to go for *Ireland*, the other to stay in *England*, being already modelled, excellently disciplined, and having the visible marks of Gods favour upon their actions? But to take a few for *Ireland*, a few for *England*, and leave a coare in the middle to be plucked forth and Disbanded, was the way to discontent them, and put them into mutiny: and thereby necessitate the Parliament to *disband them all:* and give an opportunity to them that seek it, to new modell another Army out of the aforesaid Supernumeraries, more pliable to the desires of the Presbyterian *Junto:* Adde hereunto the causlesse exasperating *speeches* and *aspersions cast upon most of the Army* purposely, as moderate men think, *to discontent them.*

Thirdly, if they have no intent to keep up an Army against the people, why have they continued the military charge for another year; and inlarged it from 52000l. to 60000l. a Month?

21. Thus the *City*, *In-land Garrisons*, and *Super-numerary forces new*
resbyters. *modelled* are like to prove the *three stringed Whip*, wherewith the Presbyterian *Phaetons* will drive their *triumphant Chariot* if they prevail; to which may be added *the Presbyters* themselves, who

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by over-awing mens Consciences with their doctrine, will subdue and work mens minds like wax to receive any impression of *bondage* that tyranny and oppression can set upon them, as they doe in *Scotland*: The *Clergy* in all times and places have ever *held with the Mighty*; as the *Jacco* hunts still with the *Lion* to *partake of his prey*. The *Clergy* have ever had an itch *to be medling with State-affaires*, which shewes how contemptible an opinion they have of *their owne Coat*, that they can find no contentment in it; yet they would have the *Laity* to have a reverend opinion of it. The *Popish Clergy* draw all *Civill affairs*, publike and private, under their jurisdiction and cognisance, *quatenus* there is *peccatum* in all humane actions; the Presbyterians *quatenus* there is *scandalum* in all humane actions, what is the oddes? *Peccatum* is the mother, *Scandalum* the daughter, and both pretend they do this *in ordine ad Deum*. But universall experience teacheth us, *how miserable that Common-wealth is, where the corruption of a Church-man proves the generation of a State-man.*

The premises considered, I shall propound these ensuing *Queries* to those that are of better judgment then my self. 22. Quæres upon the premises.

1. *Quære*, Why the Title and punishment of *Malignants* is translated from the *Cavaliers*, who fought *for Regall tyranny* against the *Parliament*, and laid upon those that fought against *Regall tyranny* for the *Parliament*? Is it not because those *Cavaliers* that have fought fore *one tyranny*, will not be scrupulous to fight *for another*? and such *wel-affected* as have opposed tyranny in one kind, will not admit of it in another? Why is it now accounted a note of *malignity* and *dis-affection* to *endevour the putting downe of Arbitrary Government*, and *re-establishing our Lawes, Liberties, and Properties*; whereto the *Parliament* by their many *Declarations* and their *Nationall Covenant* are bound? Lay this to heart & consider whether they have not changed these their *first principles*, & consequently whether they are not desirous to change their *old friends* who resolutely adhere to the said *principles*.

2. If the KING grant *the Propositions*, or if He deny them, and the *predominant Junto* (or both *Junto's* joyned together, to drive on one common Interest?) for it is now thought they are upon an accommodation to keep up that power *conjunctim*, which they despair to uphold *divisim*) establish the *Military* and

Civill power without Him, according to their desires, and in order to their aymes. *Quære*, whether the said Leading men setled in their postures with their *confident Guards* about them, may not draw after them so many of their *Party* as upon an *implicite faith* will follow them, and lick up the crums of the *publicke spoiles* under their *tables*; *expelling or dis-abling* (as aforesaid) *the dis-ingaged Members*, and by this policy make themselves perpetuall *Dictators*, incorporating and ingrossing to themselves both the *consultive*, *directive*, and *ministeriall*; nay, the *legislative*, and *judicative powers* of the Kingdome in all causes *civill* and *military*, setting up an *Oligarchy* or *popular Tyranny* in stead of a *Regall*: as the 30 Tyrants of *Athens* did.

In order whereto they already declare,

1. *That an Ordinance of Parliament without the* KING's *Royall assent is equall to an Act of Parliament.*

2. *That an Ordinance is above a Law by vertue of their Legislative power*: upon which, presuming in their *Ordinance of Indemnity* they have granted *an Appeale from the Judges of the Law* to *a Committee of Parliament*. See the Ordinance, *May* 21. 1647.

3. *That they are the Irrevocable Trustees of the Peoples Lawes, Liberties, and Properties, without account*: with other principles preparative to Tyranny, and destructive to the known Laws and fundamentall Government of this Realme.

3. *Quære*, Why arbitrary and barbarous *Government by Committees* & other *illegall proceedings* (which in time of War were used upon real or pretended necessity, & were then only excusable, because *necessitas tollit Legem*) are still continued upon us now in time of peace, no enemies troubling our quiet, and without any further pretence of necessity, contrary to their *Nationall Covenant*, and all their *Declarations*? Is it not, to inure the people to *servitude*, and exercise their *patience*?

4. *Quære*, Whether the prodigious oppressions of Committees, Sequestrators, &c. and of Free-quarter, be not purposely countenanced to necessitate the people to rise in Tumults, that thence occasion may be taken to keep In-land Garrisons and Armies?

5. *Quare*, Whether our Lawes, Liberties, and Properties are not now more liable to an Invasion from the *Legislative power*, then

then formerly from the *Prerogative?* considering that those who like ambitious *Absalom*, courted and wooed the people in the beginning of troubles; now like haughty *Rehoboams*, care not though the people complaine: their little finger is heavier then the loyns of the King, the controversie between the two *Junto's* being no more, then whose slaves we shall be.

6. *Quære*, Whether if the King hereafter tread in the steps of this Parliament, and their Committees, He will not be a greater Tyrant then either the *Turke*, *Russe*, or *French*, and have as absolute dominion over His Subjects as the Devil hath over damned Soules in Hell? And how dangerous these presidents may be to those Laws and Liberties which we have sworn to maintain?

23. Middle and moderate Members again.

If the *middle and dis-ingaged men* in the House, do not speedily unite themselves into a Party or *Junto*, as the *factions* have done, and communicate their counsels; they will be *arena sine calce*, loose sand dissipated by every breath: and neither serviceable for themselves nor their Country. Whereas if they unite, twenty or thirty may become Moderators and Umpires between both Parties; (as hath been already said) let the moderate men but consider how sad and dishonourable a thing it is, to see nothing almost of great and publick concernment come into the House, but what hath been *before hand contrived, debated, and digested* in one or both of the two *Junto's* at their *private meetings*; and put into so resolved and prejudicate a way and method of dispatch, that every man is appointed his part or cue before-hand: One man to move it, and set it on foot, another to second him: One man speak to one part of the Argument, another to another part: another to keep himself to the last for a reserve, and speake to the Question, which he is provided to qualifie with a distinction, or vary it, if he find it difficult to passe. Thus all publique businesses are measured by private respects; wherby it appears, that as *frequent Parliaments* are *good physicke*, so *continuall Parliaments* are *bad food*; and the people may complain, that, *qui medice vivit, misere vivit*. Parliaments are *bona peritura*, they cannot keep long without corruption. Their perpetuity emboldens the Members, by taking from them all feare of *being called to account*; especially if they get their Sons into the House as well as themselves (as many have done this Parliament, and more endevour to do)

whereby they have an estate in their *places for two or three lives*; Moreover by *long sitting* they become so familiar with one anothers Persons and designes, as to serve one anothers turns, to joyn Interests, and to draw into factions, *Hodie mihi, cras tibi.* If you and your party will help me to day, I and my friends will help you to morrow.

24. onclusion ith some mplaints.

Miserima Resp: ubi majestas Imperii, & salus populi discordibus conflictantur studiis. What shall we say?

En quo discordia tetra —— perduxit miseros?

Shall we complain to God? God hath a controversie with us. Of whom shall we complain? of our selves? we must first reform our selves: We that take upon us to *reforme Church and Common Wealth.*

Shall we complain of our sins? aske the grace of repentance first; *and so aske that we may obtain.*

Shall we complain of our punishments? let us first repent, and amend our sins *that caused them.* Let us first pluck off the mask of *hypocrisie*, God will see through such a fantasticall *garment of Fig-leaves.* Let us no longer make *Religion a stalking-horse*; God *who is all Wisdome and all Truth, will not be deceived.* If we talke like Christians, and walk like Turks, *Christ will not own us.* To fast for a day, and hang our heads like bulrushes, *will not reconcile us.* We must fast *from publique spoiles, rapines and oppression, and not drink the teares of the poor and needy.*

Shall we complain with the Prophet, *That our Princes are become Thieves?* that was heretofore our complaint; now we must invert it, and cry, *That our Thieves (mean and base people) are become Princes.*

We are sick, very sick, intemperately sick; and God hath given us a Physitian in his wrath, *a Leper as white as snow*, fitter to *infect* then *cure us.* What Physick doth he prescribe? *poyson.* What diet? *stones* in stead of *bread, Scorpions* in stead of *Fishes*, hard fare for them that formerly fed so daintily. Before I conclude, let me give you the pedigree of our *miseries*, and of their *remedies*: A long *peace* begat *plenty, plenty* begat *pride*, and her sister *riot*; *pride* begat *ambition, ambition* begat *faction, faction* begat *Civill War*: and (if our evils be not incurable, if we be not falne *in id temporis quo nec vitia nostra, nec eorum remedia ferre possumus*) our *war* will

beget

beget *poverty, poverty humility, humility Peace* again, *Sic rerum revertentibus vicibus annulus vertitur Politicus*. The declining spoak of the wheel will rise again. But we are not yet sufficiently humbled; we have not repented with *Nineveh*. We weare *silks* and *velvets* in stead of *sack-cloath* and *ashes* (even the meanest upstart hath his Thefts writ upon his back by his Taylor in proud Characters of Gold lace) *We have* not *watered our couch with Tears*, but *with adulterous sweat*. Look to it therefore ye state *Incubi*, that by an incestuous copulation have begot *plenty* upon *war*, and filled your houses with the spoil and plunder of your deare Country; an inundation of bloud, and of the tears of the oppressed will wash away the foundation of your houses: And peace will be far from you in this world, but especially that *peace which the World cannot give*: and because Salamander-like *you delight in the fire of contention*; an unquenchable fire will be your lot hereafter. And though you escape *all accounts here*, yet upon the *great day of account* when you shall receive *your sentence of condemnation*; those your children for whose preferment you sell your souls, your God for *gold*, shall not shew so much thankfulnesse or pity towards you, as to say, *Alas our Father!* But your hearts are hardned with *Pharaoh*, I leave you therefore to *Pharaoh's* destiny, to *be drowned* in your own *Red Sea*, as he was in his.

Thus far I adventured to vindicate our *Religion, Laws, and Liberties*, with my *pen*; in discharge of my *conscience*, and pursuance of our *Nationall Covenant* which obligeth us *to defend them against whosoever to our power*; neither knowing nor caring whether in so wicked an age (wherein *vice* is honoured, and *virtue* contemned) I may be thought worthy of punishment for being more righteous then my superiours. I know an honest man is wondered at like a monster, and the innocency of his life and conversation suspected as a Libell against the State, yet if I perish I perish; *& pereundum in licitis*. Nor am I lesse provided of a safe retreat then our *Grandees*: my grave is open for me, and one foot in already. *Contempsit omnes ille qui mortem prius*, he that contemnes death, scornes both *hope* and *feare*; which are the onely affections that makes Knaves, Fools and Cowards of all the world. The world is a goodly Theater, we the Actors, God is Poet and chief spectator. We must not chuse our owne parts, that is at Gods appointment.

25. Resolution & scope of the Authour.

One

One man he appoints to play the King, another the Begger; one a Comick, another a Tragick part: whatsoever part God hath appointed for me in this remainder of my life, I will have a care to personate it ingenuously and aptly: Not doubting but my *Exit* shall be accompanied with an applause into my tyring *room*, my Tombe; nor will I refuse the meanest part that may draw a *Plaudit* from so excellent a spectator, but will prepare my self for the worst of evils in this worst of times; and pray to God to reforme our Reformers. *Amen.*

The end of the first Booke.

THE HISTORY OF INDEPENDENCY,

WITH

The Rise, Growth, and Practises of that powerfull and restlesse FACTION.

DUS AMBROSIUS.

Nec nobis ignominiosum est pati quod passus est Christus, nec vobis gloriosum est facere quod fecit Judas.

TACIT:

Scelera, sceleribus, tuenda.

VIRGILIUS.

——sua cuique Deus fit dira libido.

1 St. JOHN C. 2. V. 16.

Quicquid est in mundo est concupiscentia oculorum, concupiscentia carnis, aut superbia vitæ.

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London. Printed in the yeare, 1648.

THE HISTORY OF INDEPENDENCY.

Reader,

Entle or ungentle, I write to all, *knowing that all have now got almost an equall share and interest in this Gallymaufry or Hotchpot which our Grandee Pseudo politicians with their negative and demolishing Councells have made, both of Church and Commonwealth: and therefore I write in* a mixed stile, *in which (I dare say) there are some things fit to hold the* judgments of the Gravest; *some things fit to* catch the fancies of the Lightest, *and some things of* a middle nature, *applying my self to* all capacities, *(as far as truth will permit) because I fore-see the* Catastrophe *of this* Tragedy *is more likely to be consummated by* multitude of hands, *then* wisdome of heads. *I have been a curious observer, and diligent inquirer, after, not onely the* Actions, *but the* Councels *of these times; and I here present the result of my indevours to thee:* In a time of mis-apprehensions *it is good to avoid* mistakings, *and therefore I advise thee not to apply what I say* to the Parliament, or Army in generall, *if any phrase that hath dropped from my pen in haste (for this is a work of haste) seem to look asquint upon them: No, it is the* Grandees, *the* Junto-men, *the* Hocas-Pocasses, *the* State-Mountebanks, *with their* Zanyes *and* Jack-puddings, Committee-men, Sequestrators, Treasurers, *and* Agitators,

tors, *under them, that are here historified: were the* Parliament *(the major part whereof is in bondage to the minor part and their Janisaries) and the* Army *freed from these usurping and engaged* Grandees, *who betrayed the honour and Priviledges of Parliament and Army to their owne lusts; both would stand right, and be serviceable to the setting of a* firme, lasting peace under the King: *upon our* first principles, Religion, Laws, and Liberties; *which are now so far laid by, that whosoever will not joyne with the* Grandees *in subverting them, is termed a* Malignant, *as heretofore he that would not adhere* to the Parliament *in supporting them was accounted; so that the* definition *of a* Malignant *is turned the wrong side outward. The body of the Parliament and Army (in the midst of these distempers) is yet healthy, sound, serviceable; my endevour is therefore to play the part of a friendly Physitian, and preserve the body by purging peccant humours; were the Army under Commanders and Officers of better principles, who had not defiled their fingers with* publike monies, *their consciences by* complying *with, and* cheating all interests (King, Parliament, People, City, *and* Scots) *for their own private ends, I should thinke that they carried the Sword of the Lord, and of* Gideon; *but clean contrary to the Image presented to* Nebuchadnezzar *in a dream, the head and upper parts of this aggregate body are part of clay, part of iron, the lower parts of better mettall: I cannot reform, I can but admonish; God must be both the* Æsculapius *and* Prometheus, *and amend all; and though we receive never so many* denials, *never so many* repulses *from him, let us take heed how we Vote (even in the private corners of our hearts) no* Addresses, *no* Applications *to Him. Let us take heed of multiplying sins against God, lest he permit our* schismaticall Grandees to multiply Armies and forces

upon

upon us, to warre against Heaven as well as against our Religion, Lawes, Liberties and Properties upon Earth, and keep us and our Estates under the perpetuall bondage of the Sword, which hath been severall wayes attempted in the Houses these two last weeks, both for the raising & keeping of a new Army of 30000. or 40000. men in the seven Northern Associate Counties, upon established pay (besides this Army in the South) *and also for the* raising of men in each County of England, *and all to be engrossed into the hands of his Excellency, and such Commanders and Officers as he shall set over them; and this worke may chance be carried on by the Grandees of* Derby-house *and the Army, if not prevented; for the Generall (notwithstanding this power was denied him in the House of Commons) hath sent Warrants into most Counties to raise Horse and Foot; yea, to that basenesse of slavery hath our Generall and Army, with their under-Tyrants the Grandees brought us, that although themselves did heretofore set the* rascallity *of the Kingdome on worke in great multitudes (especially the* schismaticall party) *to clamour upon the Parliament with* scandalous Petitions, *and make peremptory demands to the Houses, destructive to the* Religion, Laws, Liberties, *and* Properties of the Land, *and the very* foundation of Parliaments: *to which they extorted what Answers they pleased: and got a generall Vote,* That it was the undoubted right of the Subject to petition, and afterwards to acquiesce in the wisdome and justice of the two Houses: *Yet when upon* 16. *of* May, 1648. *the whole County of* Surry *(in effect) came in so civill a posture to deliver a Petition to the Houses, that they were armed for the most part but with Sticks: in which Petition there is* nothing contained which the Parliament is not bound to make good *by their many* Declarations and Remonstran-

ces *to the people, or by the* Oathes of Allegiance, Supremacy, *or* Nationall Covenant, *or by the* known Lawes of this Land. *Yet were they,* 1. *Abused by the Souldiers of* White-hall *as they passed by, where some of them were pulled in and beaten.* 2. *When those Gentlemen of quality that carried the Petition came to* Westminster-hall, *they found a Guard of Souldiers at the dore uneivilly opposing their entrance to make their addresse to the House.* 3. *When they pressed into the Hall and got up to the Commons dore, they were there reviled by the Guard.* 4. *The multitude which stood in the* new Palace, *(because some of them did but whoop as others did, who were purposely set on work (as is conceived) to mix with them, and disorder them) were suddenly surrounded with a strong party of Horse from the* Mewes, *and some more Companies of Foot from* White-hall, *who by the appointment of the Committee of Schismaticks at* Derby-house *were ready prepared for this designe, and catched them (as it were) in a Toyle, and with barbarous and schismaticall rage fell upon these naked, unarmed Petitioners, slew and wounded many without distinction, telling them,* They were appointed to give an Answer to their Petition, and they should have no other; *(as indeed they had not) though the Lieutenant Colonel that did all the mischief, was called into the House of Commons, and had publick thanks given him at the Bar) took many of them Prisoners, and Plundred their Pockets, Cloaks, Hats, Swords, Horses, and some of them (even Gentlemen of as good quality as their Generall) were stripped of their Doublets. Those Gentlemen of quality who were in the* Lobby *before the Commons dore civilly expecting an Answer, were abused, and violently driven out by the Guard to take their fortune amongst the Rabble; what* Tyrants *ever in the world* refused to hear *the* Petitions *and* grievances *of their people*

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people before? The most Tyrannicall government of the world is that of Russia, *and* Jo: Vasilowich *was the greatest Tyrant of that Nation, yet shall this Tyrant rise up in judgment at the latter day against these Monsters. Behold what entertainment your Petitions shall have hereafter, if publick Peace be the end of their desires: yet many Petitions ready drawn are sent up and down in most Counties by Committee-men, and Sequestrators, to enforce men to* give thanks for the 4 Votes against the King: *And many Petitions from Schismaticks, destructive to Religion, Lawes, Liberties and Property, have been obtruded upon the Houses, and received encouragement and thanks because they tend to* subvert the fundamentall government *of* Church *and* Common-wealth, *and cast all into the* Chaos of confusion, *whereby the* Grandees may have occasion to keep up this Army, *and perpetuate their Tyranny and our Burdens. And from these Tumults of their own raising, the Grandees pretend a necessity to keep this Army about this Town, to watch advantages against it:* Cromwell *having often said,* This Town must be brought to more absolute obedience, or laid in the dust; *in order to which* the Souldiers are now dis-arming the Country, *and then the* City *is next, who being once dis-armed, must prostitute their* mony-bags *to these fellowes, or be* plundred.

Reader, *having spoken my sense to thee, I leave thee to thy own sense; submitting my self to as much charity as God hath endowed thee withall.* God that made all, preserve and amend all, *This shall be the daily prayer of him that had rather die for his Country, then share with these* Godly Thieves, *in eating out the bowels of his Country, and enriching himself with publick spoiles.*

The

The History of INDEPENDENCY.

YOu have in *The mystery of the two Juntoes*, PRESBYTERIAN and INDEPENDENT, presented to your view these two Factions, (as it were in a Cock-pit pecking at one another) which rising originally from the two Houses and Synod have so much disturbed and dislocated in every joynt both Church and Common-wealth. I must now set before you *Independency* Triumphant, rousing it self upon its Legs, clapping its Wings, and Crowing in the midst of the Pit, with its enemy under its feet: though not yet well resolved what use it can or may make of its Victory. *The Preamble*

But before I go any farther, it is fit I tell you what *Independency* is: I. What Independency is

It is *Genus generalissimum* of all Errours, Heresies, Blasphemies and Schismes. A generall name and Title under which they are all united, as *Sampson's* Foxes were by the *Tailes*; and though they have severall opinions and fancies (which make their *vertiginous heads* turn different waies) yet profit and preferment (being their *tailes*) their last and ultimate end by which they are governed (like a Ship by his Rudder) and wherein they mutually correspond; the rest of their differences being but circumstantiall are easily playster'd over with the *untempered morter* of Hypocrisie by their *Rabbies* of the Assembly, and their *Grandees* of the two Houses and Army, in whom they have an *implicite faith*. Independency is compound of Iudaism

As *Mahomet's* Alchoran was the Gallemaufry of Jew and Christian; so are they a Composition of Jew, Christian, and Turk, With the Jew, they arrogate to be the peculiar people of God,

the Godly, the Saints, who onely have right unto the Creatures, and should possesse the good things of this world, all others be Usurpers: A Tenent so destructive to all humane society & civil Government, that by vertue thereof they may and do by fraud, or force, Tax, eat up with Free-quarter, cousen, and Plunder the whole Kingdom, and account it but robbing the Ægyptians: To this purpose they overthrow all the Judicatories, Lawes, and Liberties of the Land, and set up Arbitrary Committees, Martial-Law, and *weather-cock* Ordinances in their room, *made* and *unmade* by their own over-powring Faction in Parliament at pleasure, with the help and terrour of their Janisaries, attending at their dores.

istianisme. With the Christians: some of them (but not all) acknowledge the Scripture, but so far onely as they will serve their turns, to *Pharisee* themselves, and *Publican* all the world besides; men filled with spirituall pride, meer Enthusiastiques, of a speculative and high-flying Religion, too high for Earth, and too low for Heaven: whereas a true and fruitfull Religion like *Jacob's* Ladder, *Stat pede in terris, caput inter nubila condit*, must have one end upon Earth, as well as the other in Heaven. He that acknowledgeth the duties of the first Table to God, and neglecteth the duties of the second Table to man, is an Hypocrite both against God and man.

isme. With the Turk: they subject all things, even *Religion*, *Laws*, and *Liberties* (so much cried up by them heretofore) to the power of the Sword ever since, by undermining practises and lies they have jugled the *States sword* into the *Independent scabbard*.

2. E. of *Essex* Sir *Willi-Waller* un-nined to the Inde-ents. The Earle of *Essex* Generall of all the Parliaments Forces (a man though popular and honest, yet stubbornly stout, fitter for Action then Counsell, and apter to get a Victory then improve it) must be laid by, and his Forces reduced. The like for Sir *William Waller* and his Forces; that Commanders of *Independent* Principles and interests with Souldiers sutable to them, might by degrees be brought into their room to reap the harvest of those crops which they had sowen.

This was the ground-work of the *Independent* designe, to monopolize the power of the Sword into their own hands.

This could not be better effected then by dashing the Earl of

Essex

Essex and Sir *William Waller* one against another: for which purpose that hot-headed Schismatique Sir *A. Hasterigge* was imployed with Sir *W. Waller* and some others (whose Ashes I will spare) with the E. of *Essex* to break them one upon another. This was at last effected by taking advantage of their severall misfortunes; the one at *Listithyell* in *Cornwall*, the other at the *Devises* in *Wiltshire*, where *Hasterigge* (a man too ignorant to command, and too insolent to obey) not staying for the Foot who lay round about the *Devises* in a storming posture, charged up a steep hill with his Horse, onely against the Lord *Wilmot's* Party, one Division so far before another, that the second Division could not relieve the first, thereby freeing Sir *Ralph Hopton* from an assured overthrow, and bestowing an unexpected Victory on the L. *Wilmot*: he received a wound in his flight, the smart whereof is still so powerfully imprinted in his memory, that he abhors fighting ever since; witnesse his praying and crying out of Gun-shot at the Battle at *Cheriton*, when he should have fought; and his complaint openly made in the House of Commons of the Earle of *Stamford* for Bastonadoing him. Which rashnesse of his (if it deserve not a worse name) was so far from being discountenanced, that he received not long after a gift of 6500 l. from the House, and is lately made Governour of *Newcastle*, and 3000l. given him to repair the Works there. I shall not need the spirit of prophesie, to fore-see that the tenth part of the said 3000l. wil not be bestowed upon those Works. Thus was he favoured by his party in the House, who were thought to look upon this action as an acceptable service.

In farther progresse of this designe, *Mancheſter* (a Lord, and therefore not to be confided in) was undermined and accused by his Lieutenant Generall *Cromwell* of high Crimes, whom he again recriminated with a Charge of as high a nature; and when all men were high in expectation of the event, it grew to be a drawn battle between them; whereby, all men concluded them both guilty: *Mancheſter* was discarded. 3. The E. of *Mancheſter* undermined.

Out of the ashes of these three arose that Phœnix (forsooth) a new modell'd Army under the Command of Sir *Thomas Fairfax*, a Gentleman of an irrationall and brutish valour, fitter to follow another mans counsell then his own, and obnoxious to

Cromwell and the *Independent faction* (upon whose bottome he stands) for his preferment, it being no dishonour to him to become the property to a powerfull Faction.

4. Victories e new Mo- how at- ved.

It pleased God to bestow many Victories upon this Army over the Kings Forces; then strong in bulk, but weakned by Factions, want of pay and other distractions (whereby many of their Commanders not confiding in one another, began to provide for their future safety and subsistence) but above all; they had generally lost the peoples affections. To these their Victories, the constant pay, and supplies, and all other helps and encouragements from a concurring State, which their working and *restlesse Faction* carefully accommodated them withall (far beyond what any other Army had formerly) did much conduce, in so much as they cleared the field, and took in all the enemies Garrisons with so much facility, that to many men they seemed rather *Cauponantes bellum quàm belligerantes*, to conquer with silver then with steel: a good Purse is a shrewd weapon.

5. ifices to e *Cromwell* his new dell po- r.

Thus this *Faction* having got a Generall fit for their turn, and a Lieutenant Generall wholly theirs in judgment and interest, were diligent to make him famous and popular, by casting upon him the honour of other mens Atchievements and valour. The News-books taught to speak no language but *Cromwell* and his Party; and were mute in such actions as he and they could claim no share in: for which purpose the Presses were narrowly watched. When any great exploit was half atchieved, and the difficulties overcome, *Cromwell* was sent to finish it, and take the glory to himself, all other men must be eclipsed that *Cromwell* (the *Knight of the Sun* and *Don Quixote* of the *Independents*) and his Party may shine the brighter.

6. new Mo- new-mo- ed by de- s to put the rd into the ds of Schis- icks.

And that *Cromwell's* Army might be sutable to himself, and their Designes carried on without interruption or observation of such as are not of their Principles, all the Sectaries of *England* are invited to be Reserves to this Army: and all pretences of scandals and crimes laid hold of at their own Councels of War to casheer and disband the *Presbyterian* party, that *Independents* might be let into their rooms, though such as (for the most part) never drew Sword before: so that this Army (which boasteth it self for the Deliverer, nay the Conquerour of two Kingdomes) is

no

no more the same that fought at *Nazeby*, then Sir *Francis Drake's* Ship that brought him home can be called the same Ship that carried him forth about the Earth, having been so often repaired, and thereby suffered so many substractions and additions, that hardly any part of the old Vessell remained. It was therefore *nominally* and *formally*, not *really* and *materially* the same.

The said *Mystery of the two Junto's* farther tels you, that the *Independent Junto* bottomed all their hopes and interests upon keeping up this Army; whereby to give the Law to King, Kingdome, Parliament, and City, and to establish that *Chimæra* called *Liberty of Conscience*. That this was *Cromwell's* ambition formerly, the Earle of *Mancheſter's* aforesaid Charge against *Cromwell* (though let fall without prosecution, lest so great a mystery should be discovered) makes it propable, and his later practises (upon which I now fall) makes it infallible.

7. The Army ted to be Disbanded through *Cromwell's* craft.

The Houses long since (for ease of the people) in a full and free Parliament ordained the disbanding of this Army, onely 5000 Horse, 1000 Dragoons, and some few Fire-locks to be continued in pay for safety of this Kingdome, and some of them to be sent for *Ireland*: for which purpose they borrowed 200000l. of the City, (being the same summe which disbanded the *Scots*) and for the rest of their Arrears they were to have Debenters and security, without all exceptions: such tearms of advantage as no other disbanded Souldiers have had the like; neither are these like to attaine to again; so that they have brought the Souldiers into a *losse*, as well as into a *labyrinth*: there continuing in Armes without, nay against *lawfull Authority*, being a manifest act of *Treason* & *Rebellion*; and so it is looked upon by the whole Kingdome; nor can the Parliaments subsequent Ordinances, (which all men know to be extorted by force, as hereafter shall appear) help them.

To the passing of this Ordinance, *Cromwell's* Protestations in the House, with his hand upon his brest, *In the presence of Almighty God before whom he stood, that he knew the Army would disband and lay down their Armes at their dore, whensoever they should command them*, conduced much: This was malitiously done of *Cromwell* to set the Army at a greater distance with the *Presbyterian* Party, and bring them and the *Independent* Party neerer

 together;

together; he knew the Army abominated nothing more then Disbanding and returning to their old Trades: and would hate the Authors thereof.

8. gitators rai-d by *Cromwel.*

And at the same time when he made these *protests* in the House, he had his *Agitators (Spirits* of his and his Son *Ireton's conjuring up* in the Army, though since *conjured down* by them without requitall) to animate them against the major part of the House (under the notion of *Royalists*, a *Malignant party*, and *Enemies to the Army)* to ingage them *against Disbanding* and *going for* Ireland, and to make a Trayterous Comment upon the said Ordinance, to demand an *Act of Indemnity*, and relie upon the advice of Judge *Jenkins* for the validity of it, and to insist upon many other high demands, some private, as Souldiers; some publick, as States-men.

9. e beginning the project purge the uses.

10. e Army put o mutiny a-nst the Par-ment, where-*Cromwell* nopolizeth Army.

Cromwell having thus by mutinying the Army against the Parliament, made them his owne, and *monopolized* them, as he did formerly his *Brew-house* at *Ely* (which he might easily do, having before-hand filled most of the chief Offices in the Army with his owne kindred, allyes, and friends: of whose numerous family, Lieut. Col. *Lilburne* gives you a list in one of his Books) he now flies to the Army, doubting (his practises discovered) he might be imprisoned: where he and *Ireton* assuming Offices to themselves, acted without Commission; having not only been ousted by the *self-denying Ordinance*, (if it be of any power against the *godly)* but also their severall Commissions being then expired: and Sir *Thomas Fairfax* having no authority to make generall Officers, as appears by his Commission, (if he make any account of it) and therefore *Sprig*, alias *Nathaniel Fines*, in his Legend or Romance of this Army, called *Anglia Rediviva*, sets down two Letters sent from Sir *Thomas Fairfax* to the Speaker *William Lenthall*, one to desire *Cromwell's* continuance in the Army: another of thanks for so long forbearing him from the House: see *Ang. Red.* p. 10, 11, 29. which needed not, had he been an Officer of the Army.

11. mwell's Fa-y in the my.

12. mwell and on usurp ices in Army.

And now both of them bare-faced, and openly joyne with the Army at *Newmarket*, in trayterous Engagements, Declarations, Remonstrances, and Manifesto's; and Petitions penn'd by *Cromwell* himself, were sent to some Counties, to be subscribed against

supposed

supposed Obstructers of Justice, and Invaders of the Peoples Liberties in Parliament, and the Army at *Newmarket* and *Triploheath* prompted to cry, *justice, justice*, against them; and high and treasonable demands, destructive to the fundamentall Priviledges of Parliament were publickly insisted upon; many of which for quietnesse sake, and out of compassion to bleeding *Ireland* were granted: yet these restlesse spirits (hurried on to farther designes) made one impudent demand beget another; and when by Letters and otherwise they had promised, *that if their then present demands were granted, they would there stop and acquiesce*; yet when they seemed to have done, they had not done, but deluded and evaded all hopes of peace by mis-apprehensions and misconstructions of the Parliaments concessions; making the misinterpretation of one grant, the generation of another demand, so that almost ever since the Parliament hath nothing else to do but encounter this *Hydra*, and *roll this stone*.

13. Securing Oxford, and pl dring the K from Holde

Having thus debauched the Army, he plotted in his owne Chamber the securing the Garrisons, Magazine, and Train of Artillery at *Oxford*, and surprizing the Kings Person at *Holdenby*: which by his instrument Coronet *Joyce*, with a commanded Party of Horse he effected. And when *Joyce* (giving *Cromwell* an account of that action) told him, *he had now the* KING *in his power: Well*, (replied *Cromwell*) *I have then the Parliament in my Pocket*. O insolent Slave! O slavish English, thus to suffer your *King* and *Parliament* together with your Wives and Children, Religion, Laws, Liberties and Properties to be captivated by so contemptible a Varlet. If our noble Auncestors (who vindicated their Liberties, and got *Magna Charta* by the Sword) shall look down from Heaven, and see their Posterity so cowardly resigne them to a handfull of bloudy, cheating Schismatiques, they will not own us, but take us for *Russian* Slaves, *French* Peasants, and cry out, That we are a Bastard brood, *Servi natura*, born for bondage: yet afterwards (having recourse to his usuall *familiarity with Almighty God*) *Cromwell* used his name to protest his ignorance and innocence in that businesse both to the *King and Parliament*; adding an execration upon his Wife and Children to his Protestation; yet *Joyce* is so free from punishment, that he is since preferred, and his Arreares paid by their means.

means. And though both Houses required the Army to send His royall Person to *Richmond*, to be there left in the hands of the Parliaments Commissioners, whereby both Kingdomes might freely make Addresses to Him; (for they had formerly excluded and abused the Scots Commissioners, contrary to the Law of Nations, and Votes of both Houses; and yet then granted free accesse to the most desperate persons of the *Kings party*) yet they could obtain no better answer from these *rebellious Saints*, then *That they desired no place might be proposed for His Majesties residence neerer* London, *then where they would allow the Quarters of the Army to be.* This was according to their old threats of marching up to *London*, frequently used, when any thing went contrary to their desires. They knew what dangerous and troublesome guests we should find them here.

nifesto of the my, June 27. 47.

How much is this Army degenerated since *Cromwell* and his demure white-livered Son-in-law *Ireton* poysoned their manners with new Principles? *Anglia Rediviva, p.* 247. tels us that about *Woodstock* private overtures were made by some from Court for receiving His Majesty, who was minded to cast Himself upon the Army: but such was their faithfulnesse in that point, that conceiving it derogatory to the honour and power of Parliament, (for His Majesty to wave that highest Court, and addresse Himself to any others) and therefore inconsistent with their trust and duty, being Servants of the State, they certified the Parliament thereof, and understanding it to be against their sense also, they absolutely refused to be tampered with. Oh, how faithfull then! how perfidious and *Cromwellized* are they now! let their frequent tampering with the *King* and *His Party*, to the amazement of the Kingdome, and the *abusing of the King* testifie. Read *Putney Projects* written by a considerable Officer of the Army, and a friend to *Cromwell*, though not to his false practises.

14. *eir project keep the liament in dship.*

Having thus gotten the *King* (the *first* and most visible legall authority of *England*) into their possession; their next designe is to get the *Parliament* (the *second* legall authority of *England*) into their power.

15. *ging the ises again.*

This could not be effected but by purging the two Houses of *Presbyterian* Members (especially the most active, and such as had laboured their Disbanding) that an *Independent* Parliament and Army

Army might governe the Kingdome: In order to which designe they sent to the House of Commons in the name of Sir *Thomas Fairfax* and the *Army*, a generall and confused Charge of High Treasons and other mis-demeanors against *eleven Members*, for things done (for the most part in the House) and many of the principall, such as the House had long before examined and acquitted them of, and such as the whole Kingdome knows *Cromwell* and *Ireton* to be apparantly guilty of: as, *Trucking with the King, &c.*

16. Accusing the 11 Members

One chief Article insisted upon in the Charge was, *That by their power in the House they caused the Ordinance for Disbanding this Army to passe.* Here you see where the shooe wrings them. This Charge was not subscribed by any Informer that ingaged to make it good, or else to suffer punishment, and make the House and the Parties accused, reparations: as by the *Stat.* 25 *Ed.*3. *c.*4. 27 *Ed.*3. *c.*18. 38 *Ed.*3. *c.*9. 17 *R.*2. *c.*6. 15 *H.*6. *c.*4. but especially by 31 *H.*6. *c.*1. concerning *Jacke Cade* (which comes nearest this case) ought to be: And they professed in the 2,3,4. Article of their Charge, *That they were dis-obliged and dis-couraged from any farther engagement in the Parliament service, or* Ireland's *preservation; and demanded the House should forthwith suspend the impeached Members from any longer sitting and acting.* Whereupon, the House after full debate in a full and free Parliament, *Resolved*, June 25. 1647. *That by the Laws of the Land no Judgment could be given for their suspension upon that generall Charge, before particulars produced, and proofs made.* Yet the Army (which had now learned onely to acquiesce in their own prudence and justice) insolently threatned to march up to *Westminster* against the Parliament, in case the said 11 Members were not suspended: and counted the City of *London* to sit Newters, and let them work their will with the Parliament.

17. Threats to march up to *London*.

18. *London* solicited to sit Neuters.

The 11. impeached members therefore modestly withdrew to free the House from such danger as they might incur by protecting them, as in justice and honour they were bound to doe. After this, the Army sent in their particular Charge: and libellously published it in Print by their own Authority. To which the 11 Members sent in, and published their Answer. Upon which there hath been no Prosecution, because they pretend first

to settle the Kingdome, but if they stay till these fellows have either authority, will, or skill to settle the Kingdome, they shall not need to make ready for their Tryall till Dooms-day. Here you have a whole Army for Accusers, and the chief Officers of the Army (being Members of the House) not only Accusers, but parties, Witnesses, and Judges, and carrying the rules of Court, and Laws by which they judge, in their Scabards. And the Charge or Impeachment, such (as all men know) *mutatis mutandis* are more sutable to *Cromwells* and *Iretons* actions, then the accused Parties. If the proceedings in the Kings name against the 5 Members mentioned in *The exact Collection, part* 1. *p.*38. were Voted *A Trayterous designe against King and Parliament*; and the arresting any of them upon the Kings Warrant, *an Act of publick enmity against the Common-wealth*: How much more *Treasonable* were these proceedings; and the Armies March towards *London* to enforce them; and their arresting *Anthony Nichols*, having the Speakers Passe, and leave of the House; Colonell *Burch*, being upon service of the Parliament going for *Ireland*; and Sir *Samuel Luke*, resting quiet in his own House?

19. he first occa- n of quarrell inst the ty.

20. urting and ating the untry and T other In- ests, to lull m asleep till Grandees l, wrought ir will upon ty and uses.

21. itions to the my, and for Army.

Whilst these things were acting, *Cromwell* finding he could not have his will upon the Parliament, but that he must make the City of *London* (who had denied the neutrality) his Enemies, cast about how to cheat the Country people of their affections; (for to have both City and Country his Enemies in the posture his Army was then in, was dangerous) he therefore by many Printed books and papers, spread all *England* over by his *Agitators*, and by some journy-men Priests (whose *Pulpits* are the best *Juglers Boxes* to deceive the simple) *Absolon*-like, wooeth them to make loud complaints of the pressures and grievances of the People: to neglect the King and the Parliament, and make Addresses to the Army as their onely *Saviours*, the Arbitrators of Peace, Restorers of our Laws, Liberties and Properties, Settlers of Religion, Preservers of all just Interests: pretended to settle the King in His just Rights and Prerogatives; to uphold the Priviledges of Parliament, establish Religion, to reform, and bring to account all Committees, Sequestrators, and all others that had defiled their fingers with publique money, or goods; To free the people from that all devouring Excise and other Taxes; To redresse

dresse undue elections of Members; To relieve *Ireland*: Things impossible to be performed by an Army, and now totally forgotten; so that they have onely accepted of their owne private demands as Souldiers; That the Parliament should owne them for *their Army*; Establish pay for them; put the whole *Militia* of this Kingdome, and *Ireland*, both by Sea and Land, into their Hands; and Vote against all opposite Forces. But they are now become the onely Protectors of all corrupt Committee-men, Sequestrators, Accomptants to the State, and all other facinorous persons, who comply with them to keep up this Army, for their own security against publick justice.

Having thus courted and cheated all the publick and just Interests of the Kingdome, they deceived the people so far as to make them *Issachar*-like, patiently to bear the *burden* of *free-quarter*, and to make addresses to the Army for themselves, by Petitions, to which they gave plausible answers, That *this*, and *This* was *the sense of the Army*: as if the sense of the Army had been the supream Law of the Land, and to make addresses to the Parliament for the Army not to be *disbanded*, (for which purpose their *Agitators* carried Petitions ready penn'd to be subscribed in most Counties.)

22. A quarrell gainst the invented.

The people being thus lulled asleep, they now cast about how to make benefit of a joynt quarrell both against the Parliament and City, (since they could not separate them) or at least against the *Presbyterian party* in both; They had withdrawn their *quarters* (in a seeming obedience to Parliaments commands) 30 miles from *London*, (of which they often brag in their Papers) and presumed the suspension of the 11 *Members*, had strook such an awfulnesse into the Houses, that most of the *Presbyterian Members* would either absent themselves (as too many indeed did) or turn Renegadoes from their own principles to them: but found themselves notwithstanding opposed, and their desires retarded (beyond their expectation) by the remainder of that Party. They must therefore find out a quarrell to march against the City, and give the Houses another *purge*, stronger then the former.

23. The Army mand the Militia to changed i other han

The Army being principled, and put into a posture sutable to *Cromwells* desire, and the Country charmed into a dull sleep, now was his time to pick a quarrell with the City, that what he could

 not

not obtaine by faire meanes, he might effect by foule, to make them desert and divide from the Parliament, and leave it to be modelled according to the discretion of the Souldiery. He could not think it agreeable to policy, that this City which had slaine his Compeere and fellow Prince *Wat Tyler* (the Idoll of the Commons in *Rich.*2. time) and routed his Followers (four times as many in number as his Army) should be trusted with their own *Militia*: The City being now farre greater, more populous and powerfull then in his daies. In a full and free Parliament upon mature debate, both Houses by Ordinance (dated 4. *May*, 1647.) had established the *Militia of the City of London* for a *year*, in the hands of such Citizens as by their Authority and approbation were nominated by the Lord Major, Aldermen, and Common-Councell; and though the Army had recruited it self without Authority, and had got themselves invested with the whole power of all the Land forces of the Kingdom in pay of the Parliament; so that there was nothing left that could be *formidable* to them but *their owne crimes*; and that it was expected they should go roundly to work upon those publick remedies they had so often held forth to the people in their popular printed Papers: yet the Army (contrary to what they promised to the City in their *Letter*, 10. *June*, and their *Declaration*, or Representation, 14. *June*, 1647. *That they would not go beyond their desires at that time expressed, and for other particulars would acquiesce in the justice and wisdome of the Parliament* (behold their modesty!) by a *Letter* and *Remonstrance* from Sir *Thomas Fairfax* and the *Army*, with unresistable boldnesse demand the *Militia* of the City of *London* to be returned into other hands, without acquaining the City or their Commissioners (then resident in the Army to keep a good correspondency with them) therewith. Upon which Letter alone the House of Commons (being very thin, and many Members driven away by menaces) upon *July* 22. Voted the repealing the said Vote of 4. *May*, and a new Ordinance for reviving the *old Militia*, presently passed and transmitted to the Lords the same day about seven of the clock at night, and there presently passed without debate; though moved by some to be put off untill the City (whose safety and priviledges it highly concerned) were heard what they could say to it.

the Letter Remonstrance from Tho: Fair- and the Army, p.8,9.

Observe

Observe that neither by the said Paper from the Army; nor by any man in the two Houses, any thing was objected against any of the *new Militia*.

And indeed, formerly the Parliament never made choice of, enlarged or changed the City *Militia*, but they were still pleased first to communicate the same to the Common Councell. A respect justly shewed to that City which had been such good friends to them. But of late, since the Parliament have shifted their old Principles and Interests, they have learned to lay by their old friends. The pretence for this hasty passing the Ordinance, was to prevent the Armies so much threatned-march to *London*, if the Houses refused to passe it; and the Cities opposition, if not passed before their notice of it. But the reall designe was to strike a discontent and jealousie into the City, thereby to force them to some act of self-defence, which might give a colour to the Army to march up against them, and their friends in the Houses.

The unexpected newes of this changing their *Militia*, caused the City (*June* 24. being Saturday) to meet in Common Councell, where, (for some reasons already expressed) and because the repealing this Ordinance upon no other grounds then the Armies imperious desires, might justly be suspected, to shake all other Ordinances, for security of mony, sale of Bishops Lands, by making them repealable at the Armies pleasure; they resolved to petition the Houses upon munday morning following, being 26. *July*, which they did by the Sheriffs, and some Common Councell men: But so it hapned that about *one thousand Apprentices* wholly unarmed, came down two or three howers after with another *Petition*, of their own, to the Houses: Therein claiming that *to order the City Militia was the Cities* Birth-right *belonging to them by Charters, confirmed in Parliament, for defence whereof they had adventured their lives as far as the Army. And desired the Militia might be put again into the same hands in which it was put with the Parliaments and Cities consent by Ordinance*, May. 4.

Upon reading these Petitions, the Lords were pleased to revoke the Ordinance of *July* 03. and revive that of *May* the 4. by a new Ordinance of *July* 26. which they presently sent downe to the Commons for their *consent*, where some of the Apprentices (presuming they might have as great an influence upon the House to obtain

24. The City tr bled at the change of their *Militia*

I appeal to C lonel *Harv* whether th did not frig him.

25. The City p tion the H ses for thei *Militia* ag i

26. The Tumul Apprentices 26. *July*.

obtain *their due*,' as the Army in pay of the Parliament had to obtain *more then their due*) in a childish heat were over-clamorous to have the Ordinance passed, refusing to let some Members passe out of the House, or come forth into the Lobby when they were to divide upon the question about it, (so ignorant were they of the customs of the House) which at last passed in the Affirmative about three of the clock afternoon: and then most of the Apprentices departed quietly into the City. After which, some diforderly persons (very few of them Apprentices) were drawn together and instigated by divers Sectaries and friends of the Army who mingled with them (amongst whom, one *Highland* was observed to be all that day very active; who afterwards (*26. Sept.*) delivered a Petition to the House against those Members that sate, and was an Informer and Witnesse examined about the said *Tumult*) gathered about the Commons dore and grew very outragious, compelling the *Speaker* to return to the *Chaire* after he had adjourned the House; and there kept the Members in untill they had passed a Vote, *That the King should come to* London *to Treat.*

27. he Tumult Apprentices ised; but ar cially conti ed by Secta s.

This was cunningly and premeditately contrived, to encrease *the scandall upon the City*; yet when the Common Councell of *London* heard of this disorder as they were then sitting; they presently sent down the *Sheriffs* to their rescue with such strength as they could get ready (their *Militia* being then unsetled by the contradicting Ordinances of the Parliament) who at last pacified the Tumult, and sent the *Speaker* safe home; which was as much as they could do in this intervall of their *Militia*, being the Houses own Act.

The Lords adjourned until the next Friday; the Commons but untill the next day. Tuesday morning the *Commons* sate againe quietly, and after *some debate* adjourned untill Friday next, because the *Lords* had done so.

28. e Speaker of Commons mplained of eport, that he ant to flie to Army: yet away to the my.

The next day being Wednesday, the *monthly Fast*, the *Speaker* and *Members* met in *Westminster* Church: where the *Speaker* complained (in some passion) to Sir *Ralph Ashton* and other Members, of a scandalous report raised on him in the *City*, as if he intended to desert the House, and flie to the Army, saying, *he scorned to doe such a base, unjust, dishonourable act; but would rather die in his House and Chaire*: which being spoken in a time and place

place of so much reverence and devotion, makes many think his secret retreat to the Army (the very next day) proceeded not so much from his own judgment, as from some strong threats from *Cromwell* and *Ireton* (who were the chief *Contrivers* of this desperate *plot*, to divide the *City* and *Houses*, and bring up the *Army* to *enthrall them both*) *That if he did not comply with their desires, they would cause the Army to impeach him for consening the State of many vast sums of money.*

And truly, I remember I have seen an intercepted *Letter*, sent about the time of his flight, from the Army to *William Lenthall* Speaker, without any name subscribed to it, only the two last lines were of *John Rushworths* hand; earnestly importuning *him to retire to the Army, with his friends.*

29. The City p claim again Tumults.

On Thursday morning early, the newly renewed *Militia* of *London*, made publike Proclamation throughout the City & Suburbes, and set up printed Tickets at *Westminster*, *That if any person should disturb either of the two Houses, or their Members, the Guards should apprehend them, and if resistance were made, kil them:* yet notwithstanding, the Speaker and his party (carrying the causes of their fear in their own consciences) in the evening of that day secretly stole away to *Windsor* to the Head-quarters.

30. The House appeare, th Sreakers bei at the Arm

Upon Friday morning at least 140. of the Members assembled in the House (they that fled being about 40.) whither the Sergeant comming with his *mace*, being asked where the *Speaker was?* answered, *he knew not well; that he had not seen him that morning, and was told that he went a little way out of Town last night*; but said, *he expected his return to the House this morning*: after that, being more strictly questioned about the *Speaker* he withdrew himself, and would not be found, till the House (after four hours expectation; and sending some of their Members to the *Speakers house*, who brought word from his *servants*, that *they conceived he was gone to the Army*) had chosen *a new Speaker*, Master *Henry Pelham*, and a new *Sergeant*, who procured another *Mace*. The like (*mutatis mutandis*) was done by the *Lords*, to prevent discontinuance and fayler of the Parliament for want of *Speakers* to *adjourne* and so to *continue it*; and take away all scruples.

31. New Spea chosen.

32. Petition a engagemen of the Cit

As for the *Petition and Engagement of the City* (so much aggravated

vated by the *Independent party*) it was directed to the *Lord Major, Aldermen*, and *Common Councell* from divers *Citizens, Commanders* and *Souldiers*, and was occasioned by some intelligence they had, that *the Army would demand an alteration of the City Militia, in order to a designe they had against the City.* It was only intended to the *Common Hall*, but never presented, as the *Souldiers Petition* was to their *Generall*, which being taken notice of by the Parliament as it was in agitation, was so much resented by the Souldiery as to put themselves into the posture they are now in (as Lieut. Col. *Lilburne* saies in one of his Books) to act no longer by their *Commissions*, but by the principles of nature and self-defence. Nor did the said *engagement* contain any thing but *resolutions of self-defence in relation to the City*; so that we cannot see what the Army had to doe to declare their sense upon it in their *Letter*, 23. *July*, and so put a prejudice upon it in the Houses. I have insisted the more particularly upon this *Grand Imposture* as being the *anvile* upon which they hammered most of their subsequent designes, *violent* and *illegall accusations.*

33. Votes passed for new Speaker chosen.

The new *Speakers* chosen; the *two Houses proceeded to Vote and Act, as a Parliament.*

And first, *the House of Commons voted in the eleven impeached Members:* next, *they revive and set up againe the Committee of Safety by Ordinance of both Houses, enabling them to joyne with the Committee of the restored City Militia, giving power by severall Ordinances to them, to List and raise Forces, appoint Commanders and Officers, issue forth Armes and Ammunition for defence of both Houses and the City against all that should invade them.* Which Votes and preparations for their self-defence (warranted by the same Law of Nature, as the *Armies Papers* affirme) were not passed, nor put in execution untill the Army (every day recruited contrary to the Houses *Orders*) were drawing towards *London*, and had with much scorn dis-obeyed the Votes and Letter of both Houses, prohibiting them *to come within thirty Miles of London.*

34. Members engagement with the Army.

The Army, to countenance their Rebellion, *draw the two Speakers and fugitive Members to sit in consultation, and passe Votes promiscuously with the Councell of War in the nature of a Parliament, and to signe an Engagement* (dat. 4. August.) *to live and*

die

die with Sir Thomas Fairfax *and the Army under his command*; affirming therein, *that generally throughout their sense agreeth with the Declaration of Sir* Tho: Fairfax, *and his Councell of War*; *shewing the grounds of their present advance towards the City of* London. In which *Declaration*, the Councell of the Army take upon them, To be *supreame Judges over the Parliament*: Telling you who of the two Houses they hold for persons in whom the publike trust of the Kingdome remaineth, and by whose advice they mean to govern themselves in managing the weighty affairs of the Kingdome: They declare against the late *choice* of a *new Speaker* by some Gentlemen at *Westminster*; and that as things now stand, there is no free nor legall Parliament sitting, being through the violence (29 *July*) suspended. That the *Orders* and *Votes*, *&c.* passed 26. *July* last, and all such as shall passe in this Assembly of some few Lords and Gentlemen at *Westminster* are void and null, and ought not to be submitted unto.

Behold here, not only a power *without the Parliament Houses*, judging of the very *essence of a Parliament*, and the validity of their resolutions, but usurping to themselves a *negative Voice*, which they deny to the KING; and yet a Schismaticall faction in the two Houses complying with them, and betraying and prostituting the very being, honour, and all the fundamentall Rights and Priviledges of this and all future Parliaments, to an Army of Rebels who refuse to obey their Masters, and disband.

This Engagement so over-leavened the Army, that their brutish Generall sent forth Warrants *to raise the Trained Bands* of some Counties to march with him against the City and both Houses: Although Trained Bands are not under pay of the Parliament; and therefore not under *Command of the Generall*, by any Order or Ordinance. But, what will not *a Foole in Authority* doe, when he *is possessed by Knaves*? Miserable man! His foolery hath so long waited upon *Cromwell's* and *Ireton's* knavery, that it is not safe for him now *to see his folly*, and throw by his *Cap with a Bell* and *his Bable*.

35. The City Commissioners to the my, *Fowk Gibs*, and E week, by wh they are be trayed.

The Earle of *Essex* died so opportunely, that many suspected his death was artificiall.

Yet *the City* were so desirous of Peace, that they *sent Commissioners* sundry times *to the Army* to mediate an Accord; who

could obtaine no more equall tearmes of Agreement then that, *They should yeild to desert both Houses, and the impeached Members: Call in their Declaration newly Printed and published: Relinquish the Militia: Deliver up all their Forts and Line of Communication to the Army; together with the Tower of* London, *and all the Magazines and Armes therein: Disband all their Forces: Turn all the Reformado's out of the Line: Withdraw all their Guards from the Houses: Receive such Guards of Horse and Foot within the Line, as the Army should appoint to Guard the Houses: Demolish their Works: and suffer the whole Army to march in triumph through the City, as Conquerors of it and the Parliament, and* (as they often give out) *of the whole Kingdome:* tearmes which they might have had from the Great Turke, had he sate down before them and broken ground.

All which was suddenly and dishonourably yeilded to, and executed accordingly, by such an Army as was not able to fight with one halfe of the City, had they been united: But they are the *Devils seeds-men*, and have sown the *Cockle of Heresie and Schisme*, so aboundantly in City and Country (especially amongst the more beggerly sort) that these men joyning Principles and Interests with the Army, weaken the hands of all opponents. They often brag that they made a civill March, free from Plunder: I Answer, they neither durst, nor could do otherwise: their Souldiers being ill Armed, and so few, that they were not able to keep stands in the Streets, and keep the Avenues while their Fellowes dispersed to Plunder. *Charles* 8. with a far greater, and more Victorious Hoast, durst not offer violence to the far lesse City of *Florence* when *Signior Caponi* put an affront upon him in the Town-house; Bidding him *beat his Drums, and they would ring their Bells.*

36. Upon the 6. of *August*, 1647. The Generall brought the fugitive Speakers and Members to the Houses with a strong Party, (who might have returned sooner without a Guard, had not their owne crimes and designes hindred them) the two Palaces filled with armed Guards, double Files clean through *Westminster-hall*, up the staires to the House of Commons, and so through the Court of Request to the Lords House, and down starts again into the old Palace. The Souldiers looking scornfully upon many

e fugitive
mbers
urned.

Members

Members that had sate in the absence of the Speaker, and threatning to cut some of their throats. And all things composed to so ridiculous a terrour, as if they would *bespeak* (without *speaking*) the absence of those Members that sate; placed the Speakers in the Chaires without Vote, out of which they had been justly Voted for deserting their calling; where the Generall was placed in a *Chaire of State*, (enough to make a foole of any man that was not fit for it) and received speciall thanks for his service from both Speakers. And in the second place, *a day of thanksgiving* was appointed to God; (I think) for his patience in not striking these Atheisticall Saints with thunder and lightning for making him a stale to their premeditated villanies.

Here Sir *Thomas Fairfax*, with a breath (and before any man that was not privy to the designe, could recover out of his amazement) was made *Generalissimo* of all the Forces and Forts of *England and Wales*; to dispose of them at his pleasure: *Constable* of the Tower of *London*. The common Souldiers Voted *one Months gratuity*, besides their pay (the Commons being in good case to *give gifts* before they *pay'd debts*:) left to the discretion of the Generall to set what Guards he pleased upon the two Houses. Whereby you may perceive in what unequall condition those Members that did not run away with the Speaker, doe now sit; after so many reiterated threats of the Generall against them in his printed Papers.

After this, the Generall, Lieutenant Generall, Major Generall *Skippon* (heretofore Waggoner to Sir *Francis Pere*, and one that hath got well by serving the City) and the whole Army, with the Traine of Artillery, marched through *London* in so great pomp and triumph, as if they would have the people understand that the Authority of the Kingdome (in whose hands soever it remains in these doubtfull times) must submit to the *power of the Sword*, the hilt and handle whereof they hold. They *turne out the Lieutenant of the Tower without cause shewne*. The consequences of these two actions were, that immediately the City decayed in Trade above 200000l. a week; and no more Bullion came to the Mint.

37. The Armi[illegible] march in T[illegible] umph thro[illegible] the City: w[illegible] other subse[illegible] quent Acts

They displace all other Governours, though placed by Ordinance of Parliament, and put in men of their own party; for this

incroaching Faction will have all in their own hands: they alter and divide the Militia of *London*, setting up particular Militia's at *Westminster*, *Southwarke*, and the *Hamlets of the Tower*, that being so divided they may be the weaker: Demolish the Lines of Communication, that the City and Parliament may lie open to Invasion when they please, and fright many more Members from the Houses with threats, and fear of false Impeachments.

The 11. impeached Members, having leave by Order of the House, and licence of the Speaker some to go beyond Sea; and *Anthony Nicholls* to go into his owne Country to settle his Affairs: some of them (as Sir *William Waller* and Mr. *Den: Hollis*) were attached upon the Sea; *Nicholls* arrested upon the way into *Cornwall* by the Army, and despightfully used; and when the Generall was inclined to free him, *Cromwell* (whose malice is known to be as unquenchable as his Nose) told him *he was a Traytour to the Army*. You see now upon whom they meane to fix the *peoples allegiance*, (for where no *Allegiance* is due, there can be no *Treason*) and to what purpose they have since by their 4 Votes (first debated between the *Independent Grandees* of the Houses and Army) laid aside the King, and (as much as in them is) taken off our Allegiance from Him.

Col: *Birch* formerly imployed for *Ireland* by the Parliament, was imprisoned, and his men mutinied against him by the Army: and Sir *Sam: Luke* resting quietly in his own house, was there seized upon and carried Prisoner into the Army.

All these acts of terror were but so many Scar-crows set up to fright more Presbyterians from the Houses, and make the Army Masters of their Votes.

38. ceedings of h Houses ler the er of the ny.

I must in the next place fall upon *the proceedings in both Houses*, acted under *the power* and influence of this all-inslaving, all-devouring *Army*, and their engaged party. To attain the knowledge whereof, I have used my utmost industry and interest with many my neer friends and kinsmen sitting within those walls, heretofore (when KINGS, not *Brewers* and *Draymen*, were in power) the walls of publique liberty.

39. dinance to ll and Void Acts passed bsence of two renega- Speakers.

The Lords that sate in absence of the two Speakers (all but the Earle of *Pembroke*, whose easie disposition made him fit for all companies) found it their safest course to forbear the House, leaving

leaving it to be possessed by those few Lords that went to, and engaged with the Army: which engaged Lords sent to the Commons for their concurrence to an Ordinance, *To make all Acts, Orders, and Ordinances, passed from the* 26 July, (when the Tumult was upon the Houses) *to the 6 of* August *following* (being the day of the fugitive Members returne) *void and null* ab initio. This was five or six severall daies severally and fully debated, as often put to the question, and carried in the Negative every time: yet the Lords still renewed the same Message to them, beating back their Votes into their throats, and would not acquiesce, but upon every deniall put them again to roll the same stone, contrary to the priviledges of the Commons.

40. Menaces by the engaged party in the House.

The chief Arguments used by the engaged party were all grounded upon the common places of *feare* and *necessity*. Mr. Solicitor threatning if they did not concur, the Lords were resolved to vindicate the Honour of their House, and sit no more: they must have recourse to the power of the Sword; the longest Sword take all. *That they were all engaged to live and die with the Army. They should have a sad time of it. Hasterigge* used the like language, farther saying, *Some Heads must flie off; and he feared, the Parliament of* England *would not save the Kingdome of* England, *they must looke another way for safety. They could not satisfie the Army but by declaring all void* ab initio; *and the Lords were so farre engaged, that no middle way would serve.* To this was answered, *That this was an Appeale from the Parliament to the Army.* And when these and many more threats of as high nature were complained of *as destructive to the liberty and being of Parliaments*; the Speaker would take no notice of it. Sir *Henry Vane junior*, Sir *John Evelin junior*, *Prydeaux*, *Gourdon*, *Mildmay*, *Thomas Scott*, *Cornelius Holland*, and many more, used the like threats.

41. A threatning Remonstrance from the Army to the House.

Upon the last Negative (being the fift or sixth) the Speaker (perceiving greater enforcements must be used) pulled a Letter out of his pocket, *from the Generall and generall Councel of the Army*, (for that was now their stile) pretending he then received it; But it was conceived he received it over night, with directions to conceale it, if the Question had passed the Affirmative. It was accompanied with a *Remonstrance* full of villanous language and

threats against *those Members* that sate while the two Speakers were with the Army; calling them *pretended Members*, charging them (in generall) with *Treason, Treachery, and breach of Trust*; And protested if they shall presume to sit before they have cleared themselves, that they did not give their assents to such and such Votes, they should sit at their perill, and he would take them as Prisoners of Warre, and try them at a Councell of Warre.

What King of *England* ever offered so great a violence to the fundamentall Priviledges of Parliament, as to deny them the Liberty of Voting *I* and *No* freely? Certainly the *little finger* of a *Jack Cade*, or a *Wat Tyler*, is farre heavier then *the loynes* of any *King*.

Many Members were amazed at this Letter, and it was moved, *That the Speaker should Command all the Members to meet at the House the next day; and should declare, That they should be secured from danger: And that it might be Ordered, That no more but the ordinary Guards should attend the House.* But these two motions were violently opposed with vollies of threats, by the aforesaid Parties and others. And after more then two houres debate, the Speaker refused to put any question upon them, or any of them; and so adjourned to the next morning, leaving the *Presbyterian Members* to meet at their Perill.

The next day being Friday, the 20. *August*, there was a very thin Assembly in the House of Commons; the House having with so much violence denied protection to their Members the day before, made most of the *Presbyterian* party absent. Some went over to the *Independent* party: others sate mute. At last a Committee was appointed presently to bring in *an Ordinance of Accommodation*; which was suddenly done and passed, and is now Printed at the latter end of the said menacing *Remonstrance* of the Army: a Child fit to waite upon such a Mother.

Thus was this *Ordinance of null and void* gotten (which hath been the cause of so much danger and trouble to multitudes of people) by the Lords reiterated breaches upon the Priviledges of the House of Commons. The engaged parties threats within dores: the Armies thundring Letters and Remonstrance: Their

Guards

Guards upon their doores, and a Regiment of two of Horse in *Hide Parke*, ready to make impressions upon the House, in case things had not gone to their minds: diverse of whose Commanders walking in the Hall, enquired often how things went, protesting, *they would pull them forth by the Eares if they did not give speedy satisfaction.*

Thus for the *manner* of passing that Ordinance.

The *matter* of Argument used against it was (as far as I can hear) to the purpose following: It was alleaged that the Force upon Munday, 26. *July*, ended that day, that the next day being Tuesday, the House met quietly, and adjourned: that upon Friday following, the Houses sate quietly all day, and gave their Votes freely, and so forward; the City having sufficiently provided for their security, that the transient Force upon Munday, could have no influence on the Houses for time to come.

That the Supream power of no Nation can avoid their owne Acts by pretended force: this would make the common People, the Jurors, and Judges to question all acts done in Parliament, since one man can, and may judge of Force as well as another: this were to bring the Records of the House into dispute: *Magna Charta* was never gotten nor confirmed but by Force: Force was three-fold, *upon one or both Houses; or upon the King, in giving His Royall Assent*; neither could plead it: the Parliament is presumed to consist of such men as dare lay down their lives for their Country.

When the King came with force to demand the 5 Members: When the City came down crying for justice against the Earle of *Strafford*: When the Women came downe crying for Peace: When the Reformado's came down in a much more dangerous Tumult then this of the unarmed Apprentices; yet the Houses continued sitting and Acting, and none of their Acts were nullified.

That to make their Acts, Orders, and Ordinances void *ab initio*, would draw many thousand men, who had acted under them, into danger of their lives and fortunes, who had no Authority to dispute the validity of our Votes: we must therefore give them power to dispute our Acts hereafter upon matter of fact; for to tie men to unlimited and undisputable obedience to

our

our Votes, and yet to punish them for obeying whensoever we shall please to declare our acts void; *ab initio*, is contrary to all reason. If to act upon such Ordinances were criminall, it was more criminall in those that made them. And who shal be Judges of those that made them? Not the Members that went to the Army; They are parties pre-ingaged to live and die with the Army; and have approved the *Armies Declaration*, calling those that sate, *a few Lords and Gentlemen, and no Parliament*: they have joyned with a power out of the Houses to give a Law to, and put an engagement upon both Houses; a president never heard of before, of most dangerous consequence, it takes away the liberty of giving *I* and *No* freely, being the very life of Parliaments: If all done under an actuall force be void, it is questionable whether all hath been done this 4 or 5 years be not void; and whether his Majesties Royall Assent to some good Bils passed this Parliament, may not be said to have been extorted by force: if the Kings Party prevaile, they will declare this Parliament void, upon the ground your selves have laid. 1 *Hen.* 7. that King urged the Parliament to make void *ab initio*, all Acts passed *Rich.* 3. which they refused upon this ground, That then they should make all that had Acted in obedience to them liable to punishment, onely they repealed those Acts.

The debate upon this Ordinance *of Null and Void*, held from Munday, 9 of *Aug.* to the 20 *Aug.* (when it was passed) but not without some interloaping debates of something a different nature, yet all looking the same way: occasioned by *Messages* from the Lords: Namely, once upon a Message from them, The said *Declaration* from Sir *Thomas Fairfax* and his Army, concerning their *advance to London* was read and debated in grosse, whether the *Commons* should concur with the *Lords* in approving it? But almost all but the engaged Party and their Pensioners distasted it, it was laid by without any question put, lest it should prove dangerous to put a Negative upon their Masters of the Army. Yet many menaces (according to custome) were used by the engaged party to get it passed; *Hasterigge* affirming that those Gentlemen that sate and voted for a *Committee of safety*, and the Kings comming to *London*, did drive on the designe of the *City Protestation* and *Engagement*. To which was Answered, *That the Committee*

43. Lords ge to the mons to ove the aration of Army.

44. Commit- Safety.

Committee of Safety was not then newly erected by those which sate, but the old Committee revived by that Vote, which had been long since erected in a full and free Parliament, when the Army first mutinied, and threatned to March to London: *and for the same ends, Defence of Parliament and City. And for the* KING'S *comming to* London, *it was Voted only to get Him out of the power of the Army; as formerly in a full and free Parliament he had been voted to* Richmond *for the same reason.*

Upon another Message from the Lords, the Commons concurred in an Ordinance to erect a *Committee of Examinations* to inquire into, and examine the *City Petition, Engagement, and the force upon the Houses 26 July*, and all endeavours to raise any Forces, &c. This Committee consisted of 22 Commons besides Lords, almost all of them Members engaged with the Army: but because there were some three or four Presbyterians gotten in amongst them, to shut these *Canaanites* forth, that the *Godly*, the true seed of *Israel* might shuffle the Cardes according to their owne mind, the 13 *Aug.* after (upon another Message from the Lords) there was a *Sub-committee of Secrecy*, named out of this Grand Committee of Examinations, to *examine upon Oath*: the persons were, the Earle of *Denbigh* and *Mulgrave*, Lord *Gray* of *Warke*, Lord *Howard* of *Escrig*, Sir *Arthur Hasterigge*, Mr. Solicitor, *Gourdon*, *Miles Corbet*, Alderman *Penington*, *Allen*, *Edwards*, Col. *Ken*, or any three of them. All persons engaged to live and die with the Army, and now appointed to make a clandestine scrutiny, and search into the lives and actions of the *Presbyterian party* that sate in Parliament doing their duty, when the engaged party fled to the Army, and brought them up in hostile manner against them.

45. A Commi to examine Tumult.

46. A Sub-co mittee of S crecy selec to examine the Tumul

The unreasonablenesse of this way of proceeding was much urged; and farther alleaged, that *it was neither consonant to the Customes of the House, nor unto common reason*, that *a Sub-committee should be chosen out of the Grand Committee of Examinations, with more power then the Grand Committee it selfe had, and excluding the rest of the Committee, under the pretence of Secrecy.* Besides, *it was against the Priviledge of the House of Commons, that the Lords should nominate the Commons in that Sub-committee as well as their owne Members.* But the *Independent Grandees*

47. Debate up passing the Committee of Secret ex aminations

dees would have it passe. Breach of Priviledge, and all other considerations are easily swallowed when they are subservient to their present designes.

48. manner of cution & eding up- e Tumult.

The party engaged were resolved to be *Examiners*, *Informers*, and *Witnesses*, as well as *parties*, (so active was their malice) and had so well packed their Cards, that eight or nine Schismaticall Lords engaged likewise with them, and the Army should be Judges of the Presbyterian party that sate in absence of the two Speakers, the better to give the two Houses a through Purge, and make them of the same complexion with the Army: without which they had no hopes to divide the power and profit of the Land between themselves by 10000l. 20000l. in a morning shared amongst the Godly; and to make the whole Kingdome to be Gibeonites, hewers of wood, and drawers of water to the faithfull.

49. *Corbet* s report of inations at the Com- e. against Committee fety.

In order to the playing of this game, *Miles Corbet* (Interpreter to that *State-puppet-play* behind the curtaine, commonly called, *The close Committee of examinations)* upon the 3. *September*, stood up and began his Report from that Inquisition, saying, *He would begin with the Committee of Safety, wherein many Members were concerned, and it was necessary to purge the Houses first.* But further said, *he would suppresse the Names of many of his Witnesses, because the Depositions he should report were but preparatory Examinations, and it would be for service of the State to conceale their Names.*

He first produced many Warrants signed at the *Committee of Safety* by the Earls of *Pembroke*, *Suffolke*, *Middlesex*, *Lincolne*, Lord *Willoughby* of *Parham*, *Maynard*, Mr. *Hollis*, Sir *Phil: Stapleton*, Sir *William Waller*, Mr. *Long*, Mr. *Nichols*, Sir *William Lewes*, Mr. *Baynton*.

nst Ma- *Baynton.*

Next, *Corbet* reported, *he had a Witnesse who deposed that a Gentleman with a Red head had signed many Warrants, supposed to be* Master *Edward Baynton:* at length after much wyer-drawing of the businesse, one Warrant was shewn to Master *Baynton*, which he confessed to be his hand. And presently *Hasterigge* moved that Master *Baynton* might forthwith Answer: against which was objected, *That since these were but preparatory Examinations, not legall proofs, no man was bound to answer them; otherwise a man*

shall

shall be put to as many severall answers as severall new matters of Charge come in against him, and shall day by day be liable to new vexations, and never know when he hath cleared himself. But *Corbet* (who of an Examiner was now become the Kings Solicitor, or Advocate Criminall) moved to proceed to judgement against him: but first to aske him some preparatory questions. But it was answered, that it was illegall to squeese examinations out of a mans owne mouth; neither was a man bound to answer, where his words may condemn, but not absolve him: for so much as depends upon the testimony of Witnesses against this Gentleman, you cannot proceed unlesse he be by, and have liberty to put crosse questions to the Witnesses. It is alleaged, Warrants were signed, and all done in relation to a new War. It is answered, it was done in order to Selfe-defence (allowable by the Laws.) Long before this occasion, when the Army first mutinied and threatned to march up to *London*, and use such extraordinary means against the *Parliament and City* as God had put into their hands, you then in a full and free Parliament appointed a Committee of Safety for your defence, who sate & acted. This Committee was but the same revived, and upon the like or worse threats and menaces, as by the many printed Papers from the Army will appear; you have no Testimony against this Gentleman by name, but onely a Character of his Haire: and for signing the Warrant confessed by himself he is acquitted by the *Proviso* of the Ordinance, 20. *August* last, which excepteth only such as acted upon the force; But when the *Committee of Safety* was revived, the Parliament was freer from force then it is now. Mr. *Baynton* notwithstanding, was adjudged to be suspended the House during pleasure of the House, which is as much as to say, *So long as the Tyranny of this domineering Faction lasteth.*

The 4. of *Sept. Corbet* reported he had a Witnesse (but named him not, because they were but preparatory examinations) who deposed, that an elderly Gentleman of low stature, in a Gray suit, with a little Stick in his hand, came forth of the House into the Lobby when the Tumult was at the Parliament dore, and whispered some of the Apprentices in the eare, and encouraged them, (supposed to be Mr. *Walker*) Mr. *Walker* denied he spake then with any man in the *Lobby*, or saw any face that he knew

Against Mr. Walker

there; and so neglected the businesse as a thing not considerable. But the next day *Corbet* moved that Mr. *Walker* might be ordered to put on his Gray suite again, and appeare before the Close-committee, and the Witnesse, who saith *he knoweth him againe if he see him.* I heare Mr. *Walker* desired to know (seeing the Witnesse had not named him) by what authority the Examiners should take such a Deposition, and make application thereof to him: and seeing there were many Gentlemen in the House that day with whom that Character agreed as well as with himself, why the Reporter did not move that all to whom that Character was appliable might be put to that test as well as himself, but singled him out for a mark to shoot at; complaining, he was not ignorant out of what quiver this arrow came: he had beene threatned with a Revenge by some of that Close-committee, and had other enemies amongst them, that could bite without barking. He told them that yesterday Mr. *Corbet* reported that the supposed old man whispered, &c. but desired those that were then in the House to call to mind that the noise was then so great in the *Lobby* that no whisper, nay the lowdest words he was able to speak could not be heard. Then *Corbet* changed his Tale, saying, the words were, *What you doe, doe quickly:* and were spoken aloud: and said, the Character agreed best with Master *Walker*, for that the Deponent said, the Gentleman was a Leane meager man.

Here Mr. *Walker* desired the House to take notice that the Reporter had twice varied his Report. 1. In the words spoken, from a *whisper* to *loud speaking*. 2. In the Character inlarged with the words, *leane*, and *meager*. Here is hail-shot provided, if one misse, the other must hit. Yet with this addition, there were divers in the House with whom the Character agreed as well as with himself. And by the incivility of his words, it should seem the Witnesse is a man of no breeding: wherefore he desired to heare his *name*, that he might enquire of his credit and repute. If the Reporter thinks he may be practised, he doth not think him a man of honesty: and then he had more cause to suspect him. He farther complained, that to make Hue and Cry after him (as it were upon fresh suite) upon a character of his person and cloths five or six weeks after the supposed fact, (he never having absen-

ted

ted himselfe one day from the House) savoured too much of a party overswayed with malice and revenge.

Your *Close-committee of Examinations* carry on businesses so in the dark (being parties engaged with the Army, and not sworn to be true in their office) that no man can see how to defend himself, or how he is dealt with, or when he is free from trouble and danger: It seems we are here called *ex tempore* to answer for our lives, *ore tenus*; and our *accusation* beginneth with the *examination* of our persons, to make us state a *Charge* against our selves, to betray our selves, and cut our owne throats with our tongues, contrary to *Magna Charta*, the *Petition of Right*, and all those laws of God and man, which in the KING's time, were in use. And no Witnesses are produced, nor so much as named: methinks therefore we are compelled to play at *blind-man-bough* for our lives, not seeing who strikes us. You have the most summary way of hanging one another that ever I saw; It is a kind of *Star-Chamber* proceeding in matter of life and death; your Secret examinations savour so much of the *Spanish Inquisition*, and of the *Councell of troubles* erected by the Duke *d' Alva* in the *Low-countries* (called, *Concilium Sanguinis*) that they can never agree with the *Laws & nature of our Nation*: If our Kings shall imitate you hereafter, they will be the greatest Tyrants in the world. Formalities and priviledges of Court, derogating from the common rules of Law, and practice of the Land, are but curtains drawne before oppression and tyranny to dazle mens eyes. Give me leave to tell you that I have served you faithfully from the beginning, and have taken as much pains, and run as many hazards as most men in your service, wherein I have lost my health, and above 7000l. of my Estate, without one penny compensation, as other men have had, nor have I laid my hands upon any mans mony or goods, or had any gainfull employment from you: I contented my self to serve my Country *gratis*: and with some little honour I had gotten thereby, whereof you have now robbed me, by a roaving Accusation shot at randome at me. Had I cheated the State of 40000l. or 50000l. peradventure I might have been thought a godly, confiding man, of right principles, and have had 10000l. given me for my paines. *Sir*, you have heard the voice of a Free-man (not of a Slave) that dares keep his first Principles,

Religion, Lawes, and just Liberties, whosoever laies them aside; and protest against Tyranny and Oppression, wheresoever he finds it, whether in the Government of *one* or *many*. You may murder me by the Sword of justice, but you cannot hurt me: but deliver me from the evils to come. Nor shall I be unwilling to suffer a Gaole-delivery of my soule from the prison of my body when I am called to it.

When Mr. *Walker* had done his defence, the debate followed much to this purpose, *That to order him to appear in his Gray suite before the close Committee and Witnesse was illegall, and against the Lawes and Liberties of the Subject.*

1. *It is to help another to accuse himself; which is all one as if he did accuse himself.*

2. *To bid a Witness look upon a man* (after he is engaged to name some body) *is to prompt him to go no farther then the party shewed.*

3. *A Witnesse ought not to be twice examined against a man,* that is, *to draw him on by degrees to swear home, and to mend in his second Deposition what fell short in his first.*

4. *If the Witnesse first depose to the matter, not naming the party, and five or six weeks after declare the Person, without Oath, this is no Deposition, and if the Oath be renewed, the Witnesse is twice examined:* So the businesse was laid by, and *Corbet* allowed to shew Master *Walker* casually as he could meet with him to his witnesse, which was (in a manner) to draw dry foot after him with his bloud-hound.

I was the more curious in gathering the circumstances of this businesse out of the reports of many severall men, in regard of the rarenesse of the case, and the exquisitnesse of the malice with which it was prosecuted. And it seemed to me the more admirable, because I hear generally that Mr. *Walker* hath alwaies been opposite to all parties and factions, both *Presbyterian* and *Independent*, upon whom he looks as the common disturbers both of Church and Common-wealth, and enemies of peace. Nor could he ever be perswaded to be at any of their *Junto's* or secret meetings; and therefore it is not probable he should suddenly and in the open view of the House go forth and engage with a company of silly unarmed Apprentice Boyes. But I heare they cannot endure his severity, nor he their knavery. What will not the malice

of

of a desperate Anabaptisticall faction attempt? they have long sported in the bloud and treasure of the Land, as the *Leviathan* doth in the waters: and doe now keep up a numerous Army to carry on those designes by force, which they can no longer make good by fraud. All *England* is become as *Munster* was, and our *Grandees* sutable to *Iohn of Leyden*, and *Knipperdoling*.

The next report *Corbet* made concerning Mr. Recorder *Glyn*. The chief things objected were, *That he had frequented the Common Councell, the Committees of the Militia, and Safety, more then he was wont to doe: That he was silent, and made no opposition: And that he gave thanks to the Apprentices when they delivered their Petition to the City, offering their help for defence thereof against whomsoever.* Against M Recorder G

The Recorder answered, *The Charge was long, and his memory short: He desired time to examine his memory, concerning the circumstances of time, place, persons, and other matters; and that he might examine Witnesses for clearing his innocency.* But his Prosecutors (hoping to doe more good upon him by way of surprise, then in a deliberate and legall way of proceeding) put him upon it to answer *ex tempore*. He confessed and avoided some things, but denied the most materiall. He denied he was more frequent at their meetings then ordinary. For his silence, he alleadged, he was but the Cities servant, and had no voice amongst them, but when his opinion was demanded: That he gave thanks to the Apprentices as a servant by command, yet had mixed some admonitions and reprehensions in his speech to them.

So the Recorder withdrew. And presently *Haslerig* (according to his custome) moved judgment might be given against him. To which was answered, that the Recorder denied the principall parts of his Charge; and offered proofs by Witnesses: you must give him that leave, or take all parts of his speech for granted; as well that makes for him, as against him. Two or three daies more will make this businesse ripe for judgment: let him have one Judgment for all. If you judge him now to be expelled the House, he is already forejudged, and that will be a leading case to a farther judgment: for, who dares acquit where you have condemned? A man ought to be but once judged upon one accusation. The dishonour of expulsion is a punishment exceeding death.

death. If you judge now upon one part of the Accusation, and hereafter upon another part of the Accusation, he will be twice condemned upon one Accusation, and shall never know when he hath satisfied the Law, an endlesse vexation.

Yet *Hasterigge* moved he might receive judgment now, for what was already proved or confessed, to be expelled the House, (saying, *the Lords went on without obstruction in their businesses, because they had purged their House*) and that he might be farther impeached hereafter upon farther hearing. So he was adjudged to be discharged the House, committed to the Tower, and further impeached hereafter.

nst S. *John* ard.

Sir *John Maynard* the same day was called to Answer. He desired a Copy of his Charge, with leave to Answer in writing by advice of Councell, as the 11. Members formerly did: To examine Witnesses on his part, and crosse examine their Witnesses. But these requests were denied, and he commanded to answer *ex tempore*. He gave no particular Answer, but denied all in generall: as Col. *Pride* (whom he cited for his President) had formerly done at their Bar. He was adjudged to be discharged the House, committed to the Tower, and farther impeached.

The like for Commissary Generall *Copley*, whose case differed little.

nst the rds.

The 8 of *Sept.* the Earles of *Suffolke*, *Lincolne*, *Middlesex*, the Lords *Barkley*, *Willoughby*, *Hunsdon*, and *Maynard* were impeached of High Treason, in the name of the Commons of *England*, *for leavying War against the King, Parliament, and Kingdome*. The Earle of *Pembroke* (then sent to *Hampton-Court* with the *Propositions* on purpose to avoid the storm) was omitted until Wednesday following, and so had the favour to be thought not worth remembring.

Sir *John Evelin* the younger sent up to the Lords with the *Impeachment*, and a desire they might be *committed*. They were committed to the *Black Rodde*. And so the engaged Lords had their House to themselves according to their desires.

50. matical ions.

The 14. *Septemb.* a Petition from divers Schismaticks in *Essex* came to the Houses, bearing this Title, *To the Lords and Commons in Parliament assembled, distinct from the Lords and Commons that sate in absence of the two Speakers.*

16 *Sept.*

16. *Sept.* a Petition from divers *Sectaries* of *Oxfordsh: Bucks: Berkesh.* was delivered to the House against divers *Members* sitting in the House, *enemies to God and Godlinesse, enemies to the Kingdome, &c. Usurpers of Parliamentary Authority, who endeavoured to bring in the King upon His owne Tearmes.* They desired *a free Parliament, and that* (according to the desires of the Army) *those that sate when the Parliament was suspended in absence of Tythes, &c.* in it. Such another Petition came but the day before from *Southwarke.*

These Petitions were all penned by the engaged party of the Houses and Army, and sent abroad by Agitators to get subscriptions. The designe was to put the two parties in the House into *heights one against another*, to make the *lesser party* in the House (*viz.* the ingaged party but 59) to *expell the greater party* being above 140. whereby the House might be low and base in the opinion of the people, and no Parliament, and so leave all to the power of the Sword. The Army daily recruiting, and thereby giving hopes to all loose people, that the Army should be their common Receptacle, as the Sea is the common Receptacle of all waters, because those who had no hope to be Members of Parliament might become Members of this Army. Besides their plausible way of prompting the people to Petition *against Tythes, Enclosures, and Copy-hold fines uncertaine*, was to encourage them to side with the Army against all the *Nobility, Gentry, and Clergy of the land*, (from whom the Army did most fear an opposition) and to destroy *Monarchy* it selfe: since it is impossible for any Prince, to be a King only of Beggers, Tinkers, and Coblers.

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But these interloping discourses omittted, let us again return to these prodigious *Impeachments.* The next in order comes in *the Lord Major, Aldermen*, and *Citizens*, with whom short work was made. Impeachments were sent up *to the Lords* against them, and they sent to the *Tower*, upon a bare *report* of the Inquisitor Generall *Corbet*, and the reading of some depositions, the *Witnesses names* for the most part *concealed*, and none of them so much as called to the *Comons Bar* to see what they could say for themselves: Contrary to *Magna Charta*, 29. *chap.* and contrary to 28 *Edw.* 3. enacting, *that no man shall be put out of his Land, &c. nor taken, nor Imprisoned, &c. nor put to death, &c. without being*

Against t Lord Maj Aldermen Citizens.

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brought to answer by due processe of Law. That is according to the *Stat.* 42 *Edw.* 3. *ch.* 3. *That no man be brought to answer without presentment before Justices, or matter of Record, or by due processe, or writ originall, according to the old Law of the Land:* not according to new invented Articles of impeachment, but according to those Laws that were well known, and old in *Edw.* 3. time: see *Stat.* 37 *Edw.* 3. 1 *Edw.* 6. *ch.* 12. 6 *Edw.* 6. *ch.* 11. and the *Stat.* 25 *Ed.* 3. saith, *no man shall be taken by Petition or suggestion made to the King, or His Councell, &c.* and the House of Peers is no more but the Kings Councell, as anon I shall make evident.

51. ments ist im- ments be- he Lords.

It was moved by divers that these Gent: might be Tried according to Law at the *Kings Bench* by a Jury of twelve men *de vicineto*, their Peers and equals to judge of matter of fact: alleadging that the Common Law was the *Birthright of all the free people of England*: which was one of the *three Principles* for which the Parl: so often declared in print that they fought, and for defence whereof they had entred into a *Covenant, with their hands lifted up to God*: the other *two principles* were *Religion* and *Liberties*.

1. *The Lords were not Peers to the Commoners: At the Common Law they shall have sworne Judges for matter of Law, of whom they may aske questions in doubtfull points, nor can they be Judges in their owne cases.*

2. *They have sworn Jurors of the neighbourhood for matter of fact, whom they may challenge.*

2. *The knowne Laws and Statutes for rules to judge by, which in case of Treason is the* Stat. 25 Edw. 3. *you cannot Vote nor declare a new Treason*: And if you could, *to doe it* ex post facto, *is contrary to all rules of justice*: The Apostle saith, *Sin is a breach of a Commandement* (or Law:) *I had not known sin but by the Law*: the Law therefore must go before the Sin.

4. At the Common Law, *They have Witnesses openly and newly examined upon oath before the Accused's face, who may except against them and crosse examine them.*

5. *Even in Star Chamber and Chancery* (where only hearings are upon Testimonies) *the Examiners are sworne Officers.*

6. *A man hath but one Triall and Judgement, upon one accusation:* so that he knows when he hath satisfied the Law.

In this way of proceeding, all these necessary legalities are laid by:

by: and these Gentlemen have not so much fair play for their Lives and Estates as *Naboth* had for his Vineyard: he had all the *formalities* of the law: yea, he had *law it selfe*: yet he had *not justice*: because they were the sons of *Belial* that were set before him: what shall we conceive these Witnesses are that doe not appear? nay, whose very names are concealed? yet *Naboth* was murdered by the sword of Justice: for the honour of Parliaments give not the people cause to suspect, these Gentlemen shall be so too: *non recurrendum ad extraordinaria, quando fieri potest per ordinaria.*

But all this was but to charme a deafe Adder: the nine or ten *engaged Lords* that then possessed the House, were thought to be fitter then a *Jury of Middlesex* to make worke for the hang-man, and yet they have *no Judicature over the Commons*: as appears by the president of Sir *Simon de Berisford, William Taylboys*, and the City of *Cambridge*. Note that one president against the Jurisdiction of a Court is more valued then a hundred for it: because the Court cannot be supposed ignorant of the Law, and its owne rights; but a particular man or client may: see Sir *John Maynard's Royall quarrell and his Laws subversion*: Lieutenant Col: *Lilburne's whip for the present House of Lords*: and Judge *Jenkins Remonstrance to the Lords and Commons of the two Houses of Parliament*, dated 21. *Feb.* 1647. As for the cases of *Weston, Gamenes* and *Hall*, (cited by Mr. *Pryn*) they were for facts done beyond Sea, and before the *Stat.* 1 *Hen.* 4. *ch.* 14. whereof the Common Law could then have no conusance: and therefore an extraordinary way of proceeding before the Lords was requisite; and by the Kings speciall Authority it was done, without which, (I dare boldly affirme) the Lords have no Judicature at all: which thus I make appear.

52. Argument proving the Lords to h no power o Iudicature the Comm

1. The King by delivering the Great Seal to the *Lord Keeper*, makes him *Keeper of his conscience* for matter of equity. By His *Brevia patentia* to the *Judges of the two Benches and the Exchequer*, the King makes them *administrators and interpreters of His Laws*: But he never trusts any but himself with the power of pardoning and dispensing with the rigour of the Law in Criminall cases. And though the Lord Keeper is Speaker of the Lords House of course, yet he is no Member of the Lords House *virtute Officii*: the Judges

53. The Hou Peers no of Iudicat all properl and *per se*.

ges are not Members, but assistants onely: So that no man in the House of Peers, as he is simply a Peere, is trusted by the King either with dispensation of Law, or equity.

2. When a Peere of Parliament, or any man else is tryed before the Lords in Parliament criminally, he cannot be tried by his Peers onely, because in acts of Judicature there must be a Judge superior, who must have his Inferiors ministeriall to him: Therefore in the triall of the Earl of *Strafford*, (as in all other Trialls upon life and death, in the Lords House) the King grants His Commission to a *Lord High Steward* to sit as Judge, and the rest of the Lords are but in the nature of Jurors. So that it is the *Kings Commission* that authorizeth and distinguisheth them.

3. When a *Writ of Error* issueth out of the Chancery to the House of Peers, they derive their Authority, meerly from that Writ.

For the three Reasons aforesaid, the *House of Peers* is no Court of Judicature at all without the *Kings speciall Authority* granted to them either by His *Writ*, or His *Commission*. And the Lords by their *foure Votes* having denied all further addresse or application to the King, have cut off from themselves that fountaine from which they derive all their power: And all Trialls by Commission must be upon Bils or acts of Attainder, not by *Articles of Impeachment*; a way never heard of before this Parliament, and invented to carry on the designes of a restlesse impetuous Faction: Had the Faction had but so much wit as to try those Gentlemen by Commission of *Oyer and Terminer*, before Sergeant *Wild*, he would have borrowed a point of Law to hang a hundred of them for his own preferment.

Observe that almost all the cases cited by M. *Pryn* concerning the Peers Trialls of Commissioners were authorized by the King upon the speciall instance of the house of Commons; As for the House of Commons they never pretended to any power of Judicature, and have not so much authority as to administer an oath, which every Court of Pye- Poulders hath.

54. But this way of triall before the pre-ingaged Lords, and upon *Articles of Impeachment* (which they keep by them of all sorts and sizes fit for every man, as in *Birchin-lane* they have suites ready made to fit every body) was the apter meanes to bring men

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men to death, whom they feared living; had not a doubt of the Scots comming in taught them more moderation, then their nature is usually aquainted with; and to fright away, (at least) put to silence the rest of the *Members* with fear of having their names put into *blank Impeachments*. And that it might be so apprehended; *Miles Corbet* moved openly in the House of Commons that they should proceed with the Impeachments which were ready, nothing wanted but to fill up the Blankes, they might put in what names they pleased. This *Inquisiter generall*, this prologue to the Hang-man, that lookes more like a hang-man then the Hang-man himself, hath since gotten the rich office of *Register of the Chancery*, as a reward for his double diligence: Oh, Sergeant *Wilde* and M. *Steele* dispair not of a reward.

Friday, 17. *Sept.* the advise of Sir *Tho. Fairfax* and his Councell of War was read in the House of Commons, *What standing Forces* they thought fit to be kept up in *England* and *Wales*, and *what Garrisons*. Also *what Forces to send for Ireland*; namely, for *Ireland*, 6000 Foot, and 2400 Horse, out of the supernumerary loose forces, being no part of the Army; and for *England*, upon established pay, 18000 Foot at 8d. *per diem*. 7200 Horse at 2s. *per diem* each Trouper; 1000 Dragoones, and 200 Firelocks. Train of Artillery, Armes and Ammunition, to be supplyed. The Foot to be kept in Garrisons, yet so that 6000 may be readily drawn into the field. 55. Est blishm for the A

The Independent party argued, That the Army were unwilling to goe for *Ireland*, pretending their engagement to the contrary; if you divide or disband any part of your Army, they will suspect you have taken up your old resolutions against them, to disband the whole Army: It is now no time to discontent them, when the Kings Answer to your Propositions tends to divide you and your Army, and the people are generally disaffected to you.

The Presbyterian party argued, That the engagement of the Army ought to be no rule to the Councels of the Parliament; otherwise new Engagements every day may prescribe the Parliament new Rules; we must look two wayes, 1. Upon the people unable to beare the burden. 2. Upon the Army. Let us keep some power in our own Hands, and not descend so far below

the dignity of a Parliament, as to put all into the hands of the Generall and his Councell of War. You have almost given away all already. The Army adviseth you to keep up your Garrisons, then upon mature deliberation this House formerly Voted: you have already made Garrisons manned with gallant and faithfull men, to whom you owe Arrears; to remove them, and place new Souldiers in their roomes, will neither please them, nor the places where they are quartered: who being acquainted with their olds guests, will not willingly receive new in their roomes. These men have done you as good and faithfull service as any in the Army; and were ready to obey you, and goe for *Ireland*, had they not been hindred by those, who under pretence of an engagement to the contrary (which they mutinously entred into) will neither obey you, nor goe for *Ireland*, nor suffer others to goe. Though you discharge these men without paying their Arrears, (which others of other principles will not endure) yet give them good words: If you will be served by none, but such as are of your new principles; yet consider your Army are not all alike principled, and peradventure the old principles may be as good as the new for publick, though not so fit for private designes and purposes. You have passed an Ordinance, *That none that have borne Armes against the Parliament shall be imployed*: if you disband all such, your Army will be very thin; many have entred into pay there in order to doe the King service, and bring the Parliament low. There is no reason you should keep up 1400 Horse more then you last voted to keep up, being but 5800. at which time 62000 l. a Moneth was thought an establishment sufficient both for *England* and *Ireland*. But now the whole charge of *England* and *Ireland* will amount to 114000 l. a month: which must be raised upon the people, either directly and openly by way of sessement, or indirectly and closely, partly by sessements, and partly by free quarter and other devices: nor will the pay of 2s. *per diem* to each Trouper, and 8 d. to each Foot Souldier enable them to pay their quarters. If you mean to govern by the Sword, your Army is too little: if by the Lawes and justice of the Land, and love of the people, your Army is too great: you can never pay them: which will occasion mutinies in the Army, and ruine to the countrey. Thus disputed the *Presbyterians*, but to no purpose, it was carried against them.

Observe

Observe that when the War was at the highest, the *monthly tax* came but to 54000 l. yet had we then the Earl of *Essex's* Army, Sir *William Waller's*, My Lord *of Derbighs*, Maj. Gen. *Poynt's*, Maj. Gen. *Massey's*, Maj. Gen. *Laughorne's*, *Sir William Brereton's*, Sir *Tho. Middleton's* Brigades, and other Forces in the field, besides Garrisons.

But now this Army hath 60000l. a month, and 20000l. a month more *pretended for Ireland*; which running all through the fingers of the *Committee of the Army*. 56. Monthly T

That Kingdome (which is purposely kept in a *starving condition* to break *the Lord Inchequin's Army*, that *Ireland* may be a *receptacle for the Saints* against *England* spews them forth) hath nothing but the envy of it, the sole benefit going to this Army: This 20000l. a month being a secret unknown to the common Souldiers; The *Grandees of the Army* put it in their own purses. 57. *Ire'and* w kept in a st ving condi

Moreover, this Army hath still a kind of free-quarter, (under colour of lodging, fire and candle) for who sees not that these masterlesse guests upon that interest continued in our houses, do and will become Masters of all the rest? and who dares ask mony for quarter of them, or accept it when it is colourably offered, without fear of farther harm? besides, the Army, (whose requests are now become Commands) demanded that they might have the levying of this Tax: and that their accounts might be audited at the Head-quarters; And though the Officers of this Army (to catch the peoples affections) encouraged them often to Petition the Houses against Free-quarter, pretending they would forbear it, after an establishment settled upon them; the use their party in the House made of these Petitions was to move for an Addition of 20000l. or 30000l. a month) and then they should pay their quarters, lodging, fire and candle, nay stable-room too excepted.

Here it is not amisse to insert a word or two of this villanous oppression, *Free-quarter*; whereby we are reduced to the condition of conquered Slaves, no man being Master of his owne Family, but living like *Bond-slaves* in their own Houses, under these *Egyptian task-Masters*, who are spies and intelligencers upon our words and deeds, so that every mans table is become a snare to him. In the third yeare of King CHARLES, the Lords 58. Free-quart

and

and Commons in their *Petition of Right* (when not above 2000 or 3000 Souldiers were thinly quartered upon the people but for a month or two) complained thereof to His Majesty as a great Grievance contrary to the Lawes and Customs of the Realme, and humbly prayed as their Right and Liberty, according to the Laws and Statutes of this Kingdome that he would remove them, and that his people might not be so burdened in time to come, which His Majesty graciously granted. Yet now we are ten thousand times more oppressed with them, and if these quarterers offer violence or villainous usage to any man in his house or family, or commit murder or felony, they are protected against the Laws and justice of the Land, and *Triable onely by a Councell of War* at the Head-quarters, where a man can neither obtain justice nor seek it with safety. So that we live under the burthen of a perpetuall Army of 30000 or 40000 men, exempt from all but *Martiall Law*, which frequently oppresseth, seldome righteth any man: witnesse *Oliver Cromwell's* taking of *Thomson* (being no Souldier) from the House of Commons doore with Souldiers, imprisoning and condemning him at a Councel of War, where he sate Judge in his owne cause, there being a quarrell between them; Yet it was held Treason in the Earl of *Strafford* to condemn the Lord of *Valentia* so, being a member of his Army, because it was in time of peace, as this was. Many other examples we have of the like nature, and of this Army, enough to perswade us that these *vindicative Saints* will not governe by the known *Laws of the Land*, (for which they have made us spend our money and blood) but by *Martiall Law* and *Committee Law*, grounded upon Arbitratry Ordinances of Parliament, which themselves in the first part of *exact Collections*, pag. 727. confesse, are not Laws without the Royall assent.

59. iall Law.

This Army hath been daily recruited without any Authority, farre beyond the said number or pay established; the supernumeraries living upon free quarter. And when complaints have been made thereof in the House, the Army being quartered in severall Brigades, *supernumeraries* have been *disbanded in one Brigade*, and their Armes *taken by their Officers*: and shortly after they have been *listed againe in another Brigade*, and their Armes *sold againe to the State*, after a while to new Arme them. And of this sort were

60. eats put up- the State.

were those Armes which being found in a Magazine in Town by some Zelots, and rumoured to belong to the City for the arming of Reformado's, were upon examination found to belong to *Oliver Cromwell:* so the businesse was buried in silence: for though the Kings oversights must be tragically published to the world, yet the heinous crimes of the Godly must lie hid under the mask of Religion.

And though they have usually taken *free-quarter* in one place, and taken *composition money* for *free-quarter* in another place, some of them in two or three places at once 3s. a day, some of them 5s. for a Trouper, and 1s. a day, and 1s. 6d. for a Foot Souldier, whereby no Arrears are due to them, but they owe mony to the State; yet they have compelled the Houses to settle upon them for pretended Arrears:

61. Arreares sered, althou the State ow them nothi

1. The moity of the Excise (that they may have the Souldiers help in leavying it; although to flatter the people, the Army had formerly declared against the Excise.)
2. The moity of *Goldsmiths-hall.*
3. Remainder of Bishops Lands.
4. The Customes of some Garrisons.
5. Forrest Lands.

This Army brags *they are the Saviours* (nay Conquerours) *of the Kingdom.* Let them say when they saved it, whether at the Fight at *Nazeby*, or taking in of *Oxford*: and we will pay them according to the then List. And for all the Recruites taken in since the reducing of *Oxford*, it is fit they be disbanded without pay, having been taken in without; nay, against Authority, to drive on wicked designes, and enthrall King, Parliament, City, and Kingdome.

24. *Decemb.* 1647. The two Houses by their Commissioners presented to the King (at *Carisbrook-Castle*) 4 Bils to be passed as Acts of Parliament, and divers Propositions to be assented to. They are all printed, so is His Majesties Answer to them, wherefore I shall need to say the lesse of them, only a word or two to two of the Bills:

62. Foure dethr ning Bils pr sented to t King at *Car brook-Castle*

1. The Act for *raising, setling, and maintaining Forces by Sea and Land, within the Kingdomes of* England *and* Ireland, Wales, *&c.* (though it seems to be but for 20 years) devests the

63. Acts for th Militia.

King,

King, his Heirs, and Successours, of the power of the *Militia* for ever, without hope of recovery but by repealing the said Act, which will never be in His nor in their power: for,

First, it saith, *That neither the King, nor His Heirs, or Successors, nor any other, shall exercise any power over the* Militia *by Land or Sea, but such as shall act by Authority and approbation of the said Lords and Commons:* That is, *a Committee of State* of twenty or thirty *Grandees*, to whom the two Houses shall transfer this trust, being over-awed by the Army, (for the ground-work of this Committee was laid by these words, though the Committee be erected since.)

And Secondly, it prohibiteth the King, His Heires and Successours, &c. after the expiration of the said 20 years to exercise any of the said powers without the consent of the said Lords and Commons, and in all cases wherein the said Lords and Commons shall declare the Safety of the Kingdome to be concerned after the said 20 years expired, and shall passe any Bils for Raising, Arming &c. Forces by Land or Sea, or concerning Leavying of Mony, &c. if the Royall Assent to such Bils shall not be given by such a time, &c. then such Bils so passed by the Lords and Commons shall have the force of Acts of Parliament without the Royall Assent. Lo, here a foundation laid to make an *Ordinance of both Houses* equall to an *Act of Parliament*, and take away the KING's *Negative voice:* if this be granted in one case, it will be taken in another, and then these Subverters of our Religion, Lawes, and Liberties, will turne their *usurpation* into a *legall Tyranny*.

2. It gives an unlimited Power to the two Houses to raise what Forces, and what numbers for Land and Sea, and of what persons (without exceptions) they please, and to imploy them as they shall judge fit.

3. To raise what Money they please for maintaining them, and in what sort they think fit out of any mans Estate. This is a Tax far more Arbitrary and Unlimited then Ship-money, and the more terrible because it depends upon the will and pleasure of a multitude; who to support their own Tyranny, and satisfie their own hunger after other mens goods, may, and doe create a *necessity*, and then make that *necessity* the *law* and *rule* of their *actions*

ons and our *sufferings*: besides, they are but our fellow Subjects that usurp this Dominion over us, which aggravates the indignity. If the 24 *Conservators* of the *peace* in *Hen.* 3. time, were thought a burden to the Commons, and called, *totidem tyranni*; what will our *Grandees* prove when the *power* of the *Sword* is theirs by *Act of Parliament*? Besides, if the KING give them His Sword, they may take all the rest of the Propositions demanded without a Treaty.

The *Bill for adjournment of both Houses to any other place, &c.* will enable the engaged Party of the two Houses and Army to adjourn the two Houses from time to time, to, or near the Head-quarters of the Army: where those Members that refuse to enter into the same Engagement, shall neither sit with accommodation nor safety, and so be shaken off at last: this is a new way of *purging the Houses*. Besides, the Parliament following the motions of the Army, the King shall follow the Parliament, whereby the Army having both King and Parliament present with them, whatsoever attempt shall be made against the Army shall be said to be against the safety and authority of the King and Parliament, and a legall Treason, triable by Indictment, not a constructive Treason only triable before the Lords. 64. Bill for a journmen the Parlia as well fo place, as ti

Note this Message to the KING, *plus significat quam loquitur*, though it holdeth forth but Four Demands to open view; yet it includes Five; for, if the King passe these Four Bils, as Acts of Parliament, either He must do it by His Personall presence in the House of Peers, or by His Commission under the Great Seale; and so consequently must confirme the Parliaments Great Seale, and all things done by it, (to the nullifying His own Great Seale at *Oxford.*) His Personall presence they will not admit; for, though they pretended heretofore they tooke up Armes *to bring the King to his Parliament*, yet now they continue in Armes *to keep Him from His Parliament*, lest the presence of the true Sun should obscure such Meteors, and *Ignis fatui*, as they are. Though this may be Godly and Saint-like dealing, yet is it not plaine nor fair dealing, *latet anguis in herba*, there is *Coloquintida*, nay death in the pot.

Monday 3. *Jan.* the *Kings Answer* to the said *Bils* and *Propositions* was debated in the House of Commons. And first, Sir *Thomas Wrothe* (*Jack Pudding* to *Prideaux* the Post-master) had his 65. The King swer deba

cue to go high, and feel the pulse of the House; who spake to this purpose, That *Bedlem was appointed for mad men, and* Tophet *for Kings: That our Kings of late had carried themselves as if they were fit for no place but* Bedlem: That his humble motion should consist of three parts:

1. *To secure the King, and keep Him close in some inland Castle with sure Guards.*

2. *To draw up Articles of Impeachment against Him.*

3. *To lay Him by, and settle the Kingdome without Him: he cared not what form of Government they set up, so it were not by Kings and Devils.*

r's Speech. Then Commissary *Ireton* (seeming to speake the sense of the Army, under the notion of many thousand Godly men who had ventured their lives to subdue their enemies) said after this manner, *The King had denied safety and protection to His people by denying the foure Bills: That subjection to Him was but in lieu of His protection to His people; this being denied, they might well deny any more subjection to Him, and settle the Kingdome without Him: That it was now expected, after so long patience, they should shew their Resolution, and not desert those Valiant men who had engaged for them beyond all possibility of retreat, and would never forsake the Parliament, unlesse the Parliament forsook them first.*

After some more debate when the House was ready for the question, *Cromwell* brought up the Rear: And giving an ample character of the valour, good affections, and godlinesse of the well's Army, argued: *That it was now expected the Parliament should governe and defend the Kingdome by their owne power and Resolutions, and not teach the people any longer to expect safety and government from an obstinate man, whose heart God had hardned: That those men who had defended the Parliament from so many dangers with the expence of their blood, would defend them herein with fidelity and courage against all opposition. Teach them not by neglecting your owne and the Kingdomes safety (in which their owne is involved) to think themselves betrayed, and left hereafter to the rage and malice of an irreconcileable Enemy whom they have subdued for your sake; and therefore are likely to find His future Government of them insupportable, and fuller of revenge then justice, lest despaire teach them to seek their safety by some other means then adhering to you,*

you, who will not stick to your selves. And how destructive such a Resolution in them will be to you all, I tremble to thinke, and leave you to judge.

Observe, he laid his hand upon his Sword at the latter end of his Speech; that Sword which being by his side could not keep him from trembliug when Sir *Philip Stapleton* baffled him in the House of Commons.

This concluding Speech having something of menace in it, was thought very prevalent with the House.

66. The 4 Bils no Addresses nor Applications, passed.

The first of the four Questions being put, That *the two Houses should make no more Addresses nor Applications to the* KING: The House of Commons was divided, 141. *yeas*, 91. *noes*, so it was carried in the Affirmative.

The other three Votes followed these Votes with facility: see them in print. Upon the last of these 4 Votes the House was divided, and Candles were Voted to be brought in only to tell the House: yet (contrary to their said Order) when the Candles were in, they proceeded farther, as followeth:

67. The Committee of Safety revived and enlarged.

The Members had been locked into the House of Commons from before nine of the clock in the morning to seven at night, and then the dores were unlocked, and what Members would, suffered to go forth, whereby many *Presbyterians* thinking the House had been upon rising, departed; when presently (the House being grown thin) the Vote to revive the *Committee* of both Kingdoms called *the Committee of Safety at* Derby-house, passed by Ordinance dated 3 *Jan.* 1647. in these words: *Resolved, &c. That the powers formerly granted by both Houses to the Committee of both Kingdoms*, (viz. England and Scotland) *in relation to the two Kingdomes of* England *and* Ireland, *be now granted and vested in the Members of both Houses onely that are of that Committee, with power to them alone, to put the same in execution.* The originall Ordinance that first erected this Committee, and to which this said Ordinance relates, beareth date 7. *February*, 1643. in which the English Committees were appointed from time to time, to propound to the Scotish Commissioners whatsoever they should receive in charge from both Houses, and to make report to both Houses, to direct the managing of the Warre, and to keep good correspondency with forain States, and to receive directions

from time to time from both Houses; and to continue for three Months and no longer. But this Ordinance, 3. *January*, 1647. vests the said powers in the Members thereof onely, and alone: words excluding the two Houses; and for a time indefinite. * There were then added to this Committee, *Nathaniel Fiennes*, in place of Sir *Philip Stapleton*; Sir *John Evelin junior*, in place of Mr. Recorder; and the Earle of *Kent*, in stead of the Earle of *Essex*. 22. *Jan.* following, the Lords sent down a Message for a farther power to this Committee; which was granted, in these words, *Power to suppresse Tumults and Insurrections in* England, &c. *and at* Barwicke; *and for that purpose the Committee to have power to give Orders and Directions to all the Militia and Forces of the Kingdome.* The addition of four Lords and eight Commoners likewise to this Committee was desired, but denied.

he Members of this Committee now, the Earl of *Northumberland*, Earl of *Warwick*, the E. of *Kent*, w. E. of *Manchester*, *Will:* Lord *Say* Seal, *Phil:* L. *Wharton*, *John* L. Ro-s, *William Pierrepont*, Sir *Henry* e sen. Sir *Gilberd Gerrard*, Sir *Wil-n Armine*, Sir *Arthur Haslerigge*, *Henry Vane* junior, *John Crew*, bert *Wallope*, *Oliver* St. *Johns* Sol. ver *Cromwell*, *Sam. Browne*, *Na-iel Fiennes*, Sir *John Evelin* jun.

68. ite hall and Mewes risoned.

Friday 14. *January*, after a long debate, it was ordered that Sir *Lewis Dives*, Sir *John Stowell*, and *David Jenkins*, be tried as Traytors at the Kings Bench: the Grand Jury had found the Bill against *Jenkins*. Master Solicitor, &c. appointed to manage the businesse, * but *Jenkins* is so great a Lawyer, that the Solicitor durst not venture upon him, the long Sword being more powerfull in his mouth then the Law; wherefore the Solicitor found an Errour in the Indictment, turned him back againe upon the House to be impeached before the Lords, to whose jurisdiction he pleaded: so the Solicitor put the affront from himself upon the Houses. It was now twelve of the clock, and many of the Independent party began to cry, *Rise, rise*; The Presbyterians thinking all had been done; many went to dinner, yet the Independents sate still, and finding the House for their turn, moved, *That a Letter might be forthwith sent to Sir* Thomas Fairfax, *to send a convenient number of Foot to Garrison* White-Hall, *and a party of Horse to quarter in the Mewes.* The Lords concurrence was not desired to this Vote, but the Letters immediately drawn and sent.

ee Iudge kins's Re-nstrance to Lords and mmons of liament, Feb. 1647.

Observe, that before this Vote passed, divers Forces were upon

upon their March towards the Town, and came to *White-hall* Saturday following by eight of the Clock in the morning.

Saturday, 15. *Jan.* the Army sent a Declaration to the House of Commons, *Thanking them for their 4 Votes against the* KING, promising them *to live and die with the Commons, in defence of them against all Opponents.*

69. The Armie Declaration thanking th Commons f their 4 Vote

Many of the Lords had argued very hotly against the said 4 Votes, insomuch that it was ten Lords to ten; but this engagement of the Army, and the unexpected garrisoning of *White-hall* and the *Mewes*, turned the scales: so that they passed the said 4 Votes, onely adding a short preamble (little to the purpose) holding forth some reasons for passing them, to which the Commons, when they came down, assented. When presently (about twelve of the Clock the House being thin) *Dennis Bond* moved, *That whosoever should act against those 4 Votes, or incite others to act against them, should be imprisoned and sequestred.*

70. The Lords passe the 4 Votes.

Three or four daies after the Lords had passed the said 4 Votes, the Army vouchsafed to spit thanks in their mouths, and make much of them. These 4 Votes were generally sinisterly taken, and filled mens minds with suspition, what form of Government the Grandees would set up, now they had laid by the King; and every mans mind presaged a new War, which they conceived the Independent Grandees were willing to have, to colour their keeping up this Army, and raising Money to maintain them; and every man began to lay the project of a new War at their dore: notwithstanding, (by way of prevention) they had Impeached divers Members, and Citizens of *London*, for endeavouring a new War when they did but raise men for their self-defence.

71. The Army thanks the Lords.

To shew the people therefore, the reasons of these 4 Votes, the Independent Grandees appointed a Committee to search into the Kings conversation and errours of his Government, and publish them in a Declaration to the world: wherein, they objected many high crimes against Him, concerning His Fathers Death, the losse of *Rochel*, and the Massacre and Rebellion in *Ireland*: which upon debate in the House, were very much moderated by the Presbyterians; of which Declaration I will only say, That they have set forth no new matter therein, which they have not formerly published in parcels, since which time they have

72. The Declar tion against the King.

have taken & caused others to take the National Covenant, whereby *they vow to maintain the Kings Person, Crowne and Dignity, in defence of Religion, Laws, and Liberties:* and therefore to reprint onely the same things as Arguments to lay by the King, savours more of designe, then justice.

I will wade no farther in the censure of the said Declaration, lest I imitate the Authors of it: and as they by a feeble accusation have done the King much right, so I by a weake defence should do Him much wrong.

The people were as ill satisfied with this Declaration, as with the 4 Votes; wherefore (24 *Febr.*) Mr. Speaker, with much seriousnesse, presented to the House a Letter out of *Leicester-shire* from *Thomas Haslerigge*, (Brother to Sir *Arthur*) which was read, to this purpose, *That there was one Master* Smalling, *a Committee-man of* Leicester-shire, *who had been a Deputy-examiner in the* Star-chamber, *and affirmed, that above twenty years since there being a Suite in* Star-chamber *between the Earle of* Bristol *Complainant, and the Duke of* Buckingham *Defendant, concerning Physicke presumptuously administred by the said Duke to K.* James; *the said* Smalling *took many Depositions therein, and was farther proceeding in the Examinations, untill a Warrant, signed by the King, was brought him, commanding him to surcease, and to send Him the Depositions already taken; which* Smalling *did: yet kept Notes by him of the principall Passages, doubting what farther proceedings might be hereafter in a businesse of such importance.* Sir *Henry Mildmay* moved that *Smalling* be sent for and examined upon Oath by the Committee that penned the said Declaration: but upon motion of the Presbyterians, he was ordered to be examined at the Commons Bar. *Smalling* came, produced the Warrant, but no Notes, so this *Chimæra* vanished.

73. *Haslerig's letter concerning the King.*

What the said Committee would have made of this, who knows? God blesse us all from clandestine examinations, especially when they are taken by parties pre-ingaged.

3 *Caroli*, this businesse had been ventilated and examined against the Duke, and no mention made of poysoning or killing King *James*; it was then onely called, *an Act of high presumption and dangerous consequence in the Duke:* nor was there then the least reflection upon King *Charles*; yet now because K. *Charles* dissolved

dissolved that Parliament, the Independent party were willing to raise a suspition against Him concerning His Fathers death: whereas the Accusation against the Duke of *Buckingham*, 3 *Caroli* contained seven or eight Charges against him, the least whereof might occasion the dissolving of that Parliament.

These desperate courses (to dishonour the *King* and make Him uncapable of Government, to ruine His Person, Crown, and Dignity, and extirpate Monarchy root and branch) were taken in order to the *usurping the Kingly power into the Grandees of the Parliament and Army*, and in case they could not purge the two Houses and make them wholly Independent, (which they now dispaire of) then into the hands of the Committee, or Councell of State at *Derby-house*, and Grandees of the Army. In order to which, they are now contriving to strengthen the said Committee with more power and more Members, and to adjourn the Parliament and send downe the Presbyterian Members into the Country upon pretence of service, where if any Tumults happen (for which their extortions will give sufficient provocation) the said dissenting Members shall bear the blame; and have Blanck Impeachments given them to purge them out of the Houses, if not out of the world; or at least be sequestred: for now they have squeezed what they can out of the Kings party by Sequestrations, the next fuell to their covetousness is to sequester the Presbyterians; and then to sequester one another: for they are already divided into *pure Independents* and *mixed Independents*, and have feuds amongst themselves, for this Faction (insatiate with money and bloud) are all beasts of prey; and when they want prey, will prey upon one another: nor shall the Houses meet above one Month or two in a yeare to ratifie and approve what *Derby-house* and the *Junto* of the Army shall dictate to them; and to give an Account to the domineering party how each Member hath carried himself in the Country: Thus in stead of *one King*, we shall have *twenty* or *thirty Tyrants* in chief, and as many subordinate Tyrants as they please to imploy under them, with the Iron yoak of an Army to hold us in subjection to their Arbitrary Government.

74. Why the I pendents so high ag the King: usurp the gall power themselves ther in th Houses pu ged; or in Committe safety at D house.

Notwithstanding the aforesaid foure Votes and Resolutions, the Caball of Grandees still keep *Ashburnham* and *Barkley* in the

75 Why the G dees doe continue truck with Kings nor standing said 4 Vo

Army, and have sent diverse Turn-coat-Cavaleers and Emissaries under-hand disguised to the King, who pretending that by Bribes they have bought their admission to Him, after some insinuations endeavour with false and deceitfull news and arguments to shake His constancy, and perswade Him to passe the said Four dethroning Bils, (for these Usurpers of Soveraigne Authority long to turn their armed and violent Tyranny into a legall Tyranny) or (at least) to make Him *declare against the Scots coming in.* In both which cases He will dis-hearten His Friends, (who endeavour to take the golden reines of Government out of the gripes of these *Phaetons*, and restore them again to His hand) unking Himself and His Posterity for ever, be carried up and down like a stalking-Horse to their Designes, and be Crowned *Ludibrio Coronæ*, with straw or thornes. For who can think that at the end of twenty years, these Usurpers will lay downe what they have so unjustly, contrary to all Laws, Divine and Humane, and contrary to their own Declarations, Oaths and Covenants extorted? And who can, or dare, wrest those powers out of their hands, being once setled and growne customary in them: the peoples spirits broken with a habituall servitude; a numerous Army and Garrisons hovering over them; and all places of Judicature filled with corrupt Judges; who shall by constrained interpretations of the Law, force bloudy presidents out of them, against whosoever shall dare to be so good a Patriot as to oppose their Tyranny? They that could make *steel* sharp enough to cut Captain *Barlyes* throat for attempting to rescue the King out of the hands of a *rebellious Army, that neither obeyes King nor Parliament,* will find *gold* and *silver* enough to *corrupt all the Judges*: they mean to prefer and make them *wyld* and *vilde* enough for their purposes. But it is hoped He hath more of King, more of man in Him then to lose His principles, and stumble again at the same stone, dash againe upon the same Rock, whatsoever Syrens sing upon it; knowing He hath a Son at liberty to revenge His wrongs, all the Princes of Christendome His Allies, whose common cause is controverted in His sufferings; the greatest men of *England* and *Scotland* of His bloud, and the people generally (whose fartheſt designe was, to preserve their Lawes and Liberties, and to defend the Parliament from being conquered by the Sword)

Sword) looking with an angry aspect upon these Seducers, who by insensible degrees, and many forgeries have ingaged them further then they intended, not to the *Defence of Religion, Laws, and Liberties*, but to *the setting up of Schisme, Committee Law, and Martiall Law, Impeachments before the Lords, and unlimited slavery.*

And I am confident this Faction despair of working upon the KING, who like a Rock is *mediis tutissimus undis*, whatsoever reports they give out to the contrary, having from the beginning made *lies* their refuge, which being wisely foreseen by the KING, He sent a *Message* to both Houses, (by way of prevention) delivered in the painted Chamber by the Lord of *Lauderdale*, one of the Scots Commissioners: consisting of three heads.

1. *That He was taken from* Holdenby *against His will.*

2. *That they should maintain the Honour and Priviledges of Parliament.*

3. *That they should believe no Message as coming from Him during His Restraint in the Army, but should onely credit what they received from His own mouth.*

These Grandees have cheated all the Interests of the Kingdome, and have lately attempted the City againe, and had the repulse. But the King is their old Customer, and hath been often cheated by them, and having Him in strict custody, peradventure they may perswade Him it is for His Safety to be deceived once more: wherefore (notwithstanding their many endeavours to root up Monarchy, dethrone the King, and His Posterity, and usurp His power: in order to which, they have overwhelmed Him, and all His, with innumerable calamities and reproaches) yet since the passing of the Declaration against the King, their desperate condition hath enforced them to make new Addresses in private to Him: notwithstanding, their 4 Votes inflicting the *penalty of Treason upon the Infringers.* But Treason is as naturall to *Cromwell* as *false-accusing, protesting* and *lying*; he is so superlative a Traytor, that the Lawes can lay no hold on him. Lieutenant Col. *Lylburne*, in a verball Charge delivered at the Commons Bar, accused him of many Treasonable acts, which he avoweth to make good: and in his Book, called, *A Plea for a Habeas Corpus*: But as if *Cromwell* were a Traytor *cum privilegio*,

the House of Commons, (being under his armed Guards) dares take no notice of it. But the Roman Tribune said to *Scipio Africanus*, in *Livy*, *Qui jus æquum ferre non potest, in eum vim haud injustam fore*, He that exalts himself above the Law, ought not to be protected by the Law.

To conclude, *Cromwell* hath lately had private conference at *Farnham* with *Hammond*.

The Earle of *Southampton* hath been courted to negotiate with the King, and offered the two Speakers hands, for his warrant.

Capt. *Titus* taken into favour, and imployed that way.

These Grandees have brought themselves into a mist, and now wander from one foolish designe to another.

The Spaniard is said to forecast in his debates, what will happen forty years after. But these purblind Politicians doe not foresee the event of their Councels forty daies, nay howers beforehand; but it is a curse laid upon wicked men, to grope at noone day.

76. tes in the f Com- s upon the s Letters. oncerning said otes.

About the 5. or 6. *Jan.* 1647. the Scots Commissioners had written certain Letters to the House of Commons; one whereof *repeating the four Votes against the King*; propounded to know, *Whether the Houses by their Votes, That no person whatsoever do presume to make or receive any Application or Addresse to, or from the King; would debar the* Scots *to make or receive any Addresses to, or from Him, and so put an incapacity upon Him to perform Acts of Government towards them.* In the Debate, the Independents called to mind a more antient Vote, whereby it was ordered, *That the* Scots *might be admitted to the* KING. Against which, was alleaged, *That these later Votes being made generall, without exception, Repealed that former Vote.* At last by an interpretative Vote, it was concluded, *That notwithstanding the said four later Votes*, the former Vote, *That the* Scots *Commissioners might make Addresses to the King*, was still in force. Observe that this was done four or five daies after the Scots Commissioners were on their way towards *Scotland*.

oncerning 000l. due e Scots.

The second Letter was concerning 100000l. due by contract to the Scots from the Parliament, whereof 50000l. was payable by assignment to divers Scots Gentlemen who had advanced mony to hasten the Scots Army to our Relief; whereof 10000l. was payable to the Earl of *Argyle*.

Sir

Sir *Henry Mildmay* made a long Speech in praise of *Argyle*, saying, *That he and his party, and the Scotish Clergy, were the only men that upheld the English interest in* Scotland, *and were better friends to us then all* Scotland *besides:* wherefore he moved, that *Argyle* might be payed his 10000l. and the rest continued at Interest, at 8l. *per cent.* Presently the whole Independent gang, with much zeale, and little discretion, ran that way, untill more moderate men stopping them in full cry, minded them what dishonour and danger they might bring their friend into by laying him open to suspition.

77. Six Commissioners sent to *Scotland.*

After this, it was Resolved to send 4 Commons and 2 Lords into *Scotland* as Commissioners, with Instructions: To send all Independents, would not be acceptable; 2 Presbyterian Commoners therefore were sent, one whereof was sweetned with the guift of 1000l. and an Office before they would trust him: with them were sent Mr. *Hearle*, and Mr. *Marshall.*

78. Mr. *Marshall.*

Marshall, when he saw Independency prevaile, had secretly turned his coat the wrong side outward, and joyned interest with Mr *Nye:* But before he declared himself, he was to do some service for his new party: Wherefore when the Army looked with a threatning posture upon the Parliament and City, before they marched through *London*, (the common Souldiers being in such discontent for want of pay, that they were ready to mutiny and disband, and their Officers scarce daring to govern them) the first fruits of *Marshall's* service to his new friends, was, to perswade the City to lend the Parliament 50000l. to pacifie the Souldiers: assuring them by Letters, that *the Army had nothing but good thoughts towards the City, onely the common Souldiers were troubled for want of pay:* after the City had laid down the said 50000l. his next labour was, to perswade the Citizens to *let the Army march through the City without opposition, for avoiding of bloudshed and firing: and to let them possesse the Tower, and Line of Communication.* After these services, the Grandees of the Parliament and Army, finding him sutable to them, received him into an avowed favour, and then 4 Independents and 4 Presbyterian Divines (conjoyning their Interests) were sent to season the Army, and new tune them according to the more moderne design: *Marshall* was one; where, after he had Preached according to

the Dictates of the Grandees of the two Houses and Army for divers weeks, *Marshall* was thought fit to attend the Commissioners into *Scotland*: He and Master *Nye* had been sent to *Carisbrooke-Castle* formerly with those Commissioners that carried the 4 Bils to the King, and had 500l. apiece given them for their journey.

Scotland, a longer journey, promised a larger reward: it is good being a postilion of the Gospel at such rates.

The Sunday before he went, he preached at *Margarets Westminster*, and as much cried up Presbytery and the Covenant there, as he had before sleighted them in the Army. This was a *Preparation Sermon*, to make him acceptable to the Scots, that he might cajole them the easier. Before he went he sent his Agents from house to house at *Westminster* to beg mens good wills towards his journey. He was willing upon this pretence to get what he could from St. *Margarets* Parish, where he found the people to grow cold in their affections, and contributions to him. Wherefore having made this Bargain before he went, to leave St. *Margarets*, and officiate in the *Abby* where he is to have 300l. *per annũ* certain allowance, he would rob the Ægyptians at St. *Margarets* for a parting blow. This Priest married his own Daughter with the Book of *Common Prayer* and a *Ring*, and gave for reason, *That the Statute establishing that Liturgy was not yet repealed, and he was loath to have his Daughter whored and turned backe upon him for want of a Legall Mariage*: yet he can declare against all use of it by others. He hath so long cursed *Meroz* and *neutrality*, that he hath brought Gods curse upon the land, and hath put Church and Common-wealth into a *flame*, but himself and his Brats have *warmed their fingers* at it: as Monies are decried or enhaunced by the Kings authority, so is every mans Religion cried up or down by *Marshall's* authority and stamp.

79. Answer the Scots Declaration.

About the 24 of *February*, the *Answer* to the *Scots Declaration* began to be debated in parts: in which Debate the *Covenant* was much undervalued, and called, *an Almanack out of Date*. *Nathaniel Fiennes* argued against it, That that clause, in the Covenant, [*To defend the Kings Person, Crowne, and Dignity, &c.*] was inconsistent with their four Votes, *for making no Addresses to the* KING: To which was answered by some, *That*

That then they would relinquish the foure Votes and adhere to the Covenant.

About the beginning of *March*, was given to Col. *Sydenham* and Col. *Bingham* 1000l. apiece, as part of their Arrears; their Accounts not yet stated. To the Lord of *Broghill* 2000l. To Master *Fenwicke* 500l. for losses. To Mr. *Millington* 2000l. for losses. To Col. *Ven* 4000l. notwithstanding it was moved he might first account for Contribution money, the Plunder of the Country about *Windsor*, and the Kings Houshold-stuffe, Hangings, Linnen, and Bedding. Mr. *Pury* the Petty-bag Office, besides 1000l. formerly given him. To *Pury's* Son, the Clerk of the Peaces place, and 100l. a year: all *Independents*.

80. Money shar amongst go Members.

The 7. of *March*, an Ordinance passed the Commons to settle 2500l. a year land, out of the Marquesse of *Worcester's* Estate, upon Lieut. Gen. *Oliver Cromwell*. I have heard some Gentlemen, that know the Mannor of *Chepstow*, and the rest of the Lands setled upon him affirme, that in the particulars the said Lands are so favourably rated, that they are worth 5000l. or 6000l. a year: It is farther said those Lands are bravely wooded. You see though they have not made King CHARLES, *a glorious King*, as they promised; yet they have setled a *Crown Revenue* upon *Oliver*, and have made him as great and glorious a *king* as ever *John of Leyden* was. Wonder not that they conspire to keep up this Army, as well to make good these Largesses, as to keep their guilty heads upon their shoulders.

81. *Cromwell.*

82. A Message from the Lo desiring the Commons concurrence the Ingage- ment of th Members w the Army.

Thursday, 9. *March*, the Lords sent a Message to the House of Commons, *To desire their concurrence to the Engagement of those Members that fled to the Army, to live and die with the Army.* It was Debated all day, untill seven of the clock at night; and at last the question put, *That this House doth approve the subscription of the said Members to the said Ingagement.* The House divided upon the question, *yeas* 100. *noes* 91.

The Ingage ment appro by threats.

Observe 1. that Mr. Solicitor, *Hasterigge*, and many more, when they perceived difficulty in passing it, began to skirmish with their long Sword again. And many told them, *they must give co tent without dores* (meaning, to the Army) *as well as within, or else all would go naught.*

2. 44 Of those Members that ingaged with the Army sate in the

the House, and Voted in their own case; many of them carrying themselves very high and insolently in their gestures and expressions.

3. Many Presbyterians left the House because it was late, and some (as it is thought) not daring to vote in the Negative.

4. This Engagement about six Months agoe had been sent to the Commons by the Lords once or twice, and was rejected; yet now was obtruded upon them againe by the Lords, who would not acquiesce; contrary to the Priviledges of the House of Commons.

5. This approbation thus surreptitiously gotten, is equall to a Pardon sued forth before Conviction, which in Law amounteth to a Confession of the Crime.

83. e temper of House tri had the ingement not n approved, new Charge m the Army ended.

6. The *Agitators* tell you in *Derby-house Projects*, p. 7. *That this Engagement was sent down to the Commons to try the temper of the House, and if the House had not approved of the Engagement, the resolution of their secret Councell was to flie to their Armes, and make a new Charge against their principall Opposers*; for they acknowledge amongst themselves, *That they Rule by Power onely, and that the House of Commons is no longer theirs then they overawe them, and that they fear the Critical day will come which will discover the Parliament to be no longer theirs then while they have a force upon it.*

As men ready to sink, embrace every shaddow of help, and catch hold of leaves, twigs, and bulrushes, to support them: so these desperate and purblind Projectors, having engaged themselves in a way of Tyranny, out of which, they can find no issue; lay hold of frivolous inventions to peece up from time to time their ill laid designes, like the man in the parable, *that patched up his old Garment with new cloth, which breaking out again left the rent wider then it was before.*

84. roject to te all Interests.

Their last project was *to unite all Interests in the Houses, City, and Army*: To which purpose *Cromwell* (the heaviest, basest, and most ridiculous Tyrant that ever our noble Nation groaned under) made a Speech in the House of Commons: to which was answered, *That the Members were chosen and trusted by the people to pursue on common Interest*, which was, *the common good, the Safety and Liberty of the people, and whosoever had any peculiar Interest*

eccentrick

eccentrick from that, was not fit to sit in that Assembly, and deserved to be called to a strict account by those that trusted him.

Observe that the extent of this project was to conjoyne these *three interests* for upholding the greatnesse of the Grandees, in the *Parliament*, *City*, and *Army*; for in all three the vulgar multitude, and the more modest and honest sort, are but in the same condition with other men: The Parliament bearing the *Authority*, the Army the *Sword*, and the City the *Purse*.

The *first*, shall be the Task-masters, and impose Tribute.

The *second*, the Sheriffs, or rather Free-booters, and leavy it by distresse.

And the *third*, the Brokers to receive and buy it off.

But it pleased God to bestow so much providence and integrity upon the City, that when upon Saturday 8 *April*, 1646. *Cromwell* and his fellow Grandees offered this temptation (at a Common Councell) to them;

The City grew wiser then our first Parents, and rejected the Serpent and his subtilties, insomuch that *Cromwell* netled with the affront, called his Solicitor *Glover* to account by what authority he had offered the *restitution of the Tower and Militia, and the enlargement of their accused Aldermen:* who answered, *he did it by his authority*, and delivered him a Warrant to that purpose signed by Sir *Thomas Fairfax*, *Oliver Cromwell*, Mr Solicitor, and young Sir *Henry Vane:* which *Cromwell* had the impudence to put in his pocket.

Cromwell had felt the pulse of the City long before by his Agents *Glover* and *Watkins*, and found them averse from complying with him: wherefore (being a man of an early, as well as an implacable malice) he (by the advice of the Committee of *Derby-house*) cast about with the schismaticall Lord Mayor *Warner*, (he that raised the ridiculous Tumult at Christmas about Rosemary and Bayes: a man that had been chosen Mayor by power of Parliament, (out of course) to carry on the designe of the Faction) and with the Lieutenant of the Tower how to put the City into some distemper, of which they might take advantage. The Citizens were well acquainted with their jugling tricks, they had no hopes to work upon them: wherefore they contrived how to put a provocation upon the silly Apprentice Boyes, and put them

See the A ment aga all Accom dation bet the City Grandees, and the se able cautio the City; ted at the end of this Book.

85. A device to the Appren ces into a Tu mult.

forth into some rash action, of which they might make use to carry on their designes against the whole City: wherefore upon Easter-day, 1648. in the evening some few Apprentices playing in *Finnisbury fields*, some Souldiers were sent to drive them away; which they did, and Imprisoned some of them for not readily obeying: Upon Sunday following, 9 *April*, divers Apprentices being at play (according to custome) in *Moor-fields*; the Mayor sent Capt. *Gale* (one of the new Captains of the Hamlets, a Silk-Throster, and a Tub-Preacher, and one that ran away at the Fight at *Newbury-wash*, and hid himself in a Ditch, as my L. *Wharton* at the Battle of *Keynton* hid himself in a Saw-pit) thither to disturb them, with about 50 or 60 of his Trained Band, and no more, (that he might the better incourage the Boyes to resist him) who surlily asking them *what they did there?* some of them answered, *they did no harm but onely play; and since all Holy-daies have been Voted down, they had no other time of recreation:* The Captain insolently commanded them to *be gone:* they replied, *he had no authority so to doe*, and continued playing: whereupon the Captain commanded his Musquetiers to *shoot amongst them*; which they forbearing, he took a Musquet himself, and discharged amongst them, when presently two or three schismaticall Musquetiers of his Company following his example, discharged upon them likewise, and killed (or, as the Schismaticks say, wounded only) one of the Boyes: whereat the Boyes making a great out-cry, more company gathered to them; and so with stones, brick-bats, and sticks, they dispersed the Trained Band: and at last, got their Colours, and instantly in a childish jollity marched (un-armed as they were) towards the *Mewes*, when presently a Party of Horse (ready prepared for this forelaid designe) met them, charged, and with ease routed them; *Cromwell* himselfe animating the Troupers *to shoot and spit them, and to spare neither man, woman, nor child.* All Sunday night the Apprentices kept in a body in the City, locked the City gates, but set no Guards upon them, whereby you may see this business proceeded meerly from the rash and un-premeditated folly of Children, not from the advice of Men: howsoever the Independent faction in the House of Commons have since aggravated it, to countenance their future cruelty and rapines upon the City: Monday morning Sir *Thos. Fairfax* sent a

strong

strong party into the City, who fell upon this boyish rabble, routed and killed many, and shot poor Women great with Child, sitting in their stalls, one whereof the Child lived two howers in her belly after her braines were shot out: a man likewise not knowing of their comming, as he was drinking Milk at the corner of a street, was shot (as it were) in sport: as they rid, they cried, *Cuckolds keep your houses*, cutting and wounding all they met; *Cromwell* (who followed in the Reer safe enough, the Van having cleered the streets before him) cried out to them to *Fire the City*. Oh *Oliver!* what a barbarous *John of Leyden* art thou become? Oh *London!* how wretched a *Munster* wilt thou become? at last they drove those silly unarmed wretches into *Leaden-hall*, and took many of them Prisoners, none of the Trained Bands, nor Citizens, appearing to help these poor Boyes, but leaving the Souldiers to get a bloudy and boyish Triumph over them, as they pleased, they are now imprisoned in *Cromwell's* shambles at *White-hall*. This is the truth of the businesse, notwithstanding, the long-winded lying report made by Alderman *Fonks*, at the Commons Bar: a man that hath feather'd his nest well these miserable times, and hath much publique mony sticking to his fingers; who, when he gave in his Accompt before the generall Committee of Accounts, refused to give it in upon Oath, (as other men did) alleaging *Magna Charta, that no man was bound to accuse himself*: It should seem he had something in his Conscience that would not endure the test of an Oath: but he is one of the Godly, and therefore the good things of this world belong unto him.

The House of Commons (upon this occasion) gave 1000l. to the Souldiers for their valorous exploit, and voted 1000 Foot, and 100 Horse to be kept in the *Tower*. The Garrisons of *White-hall* and the *Mewes* to be strengthned: 3 Barges capable of 50 Musqueteiers apiece to lie at *White-hall* for the Souldiers to convey themselves to any landing-place to disperse such Watermen as shall assemble: The City Chains to be taken away from their Posts, and a Commission of *Oyer* and *Terminer* to issue forth to murder more of these Children legally.

The Mayor having kindled this fire in the City, stole out at a window disguised, and hid his foolish head in the Tower.

The House of Commons (over-ruled by the Grandees) Voted a day of Thanksgiving for this Delivery. So bold are these Saints, as to mock Gods holy Name with impious devotions to colour their designes.

86. Lord Inchiquin.

The Lord *Inchiquin*, President of *Munster*, and Generall of the Army there, had a long time been heaved at by the Independent Faction. The Lord *Lisle*, (who gaped after his imployment) Sir *John Temple*, *Cromwell*, the Lord *Broughill*, Sir *Arthur* and Sir *Adam Loftus*, and others: who by obstructing all supplies of Money, Ammunition, Victuall, Cloathes; laboured to mutiny and disband his Army, that they might send Schismaticks of their owne party to Lord it there, as they doe here, and keep *Ireland* as a Retreat for the Saints: for the better effecting whereof, they had sent over many Emissaries, whom they had commended to him, to be Officers in his Army. When this would not doe, they printed scandalous Articles against him, and put infinite provocations upon him to incite him to do that which they falsly accused him to have done already: But the many gallant services he performed since the publishing those Articles gave them the lie, and confuted all their slanders; at last (under colour of sending a supply of Forces to him) they projected to surprize him, and bring him away Prisoner; so that he hath suffered all the convulsions that treacherous friends, and malicious enemies could put upon him. And lately (for the more close conveyance of the designe) the Houses sent three Commissioners towards *Ireland*, to survey his actions; but (as if it were purposely done) when the Commissioners came as far on their way as *Bristoll*, about a dozen renegado Officers of his Army met the Commissioners and turned them backe againe. The said Officers posted up to the Parliament before the Commissioners and the 13 *April* were called in to the Commons Bar, where they made a Relation to the House, to this purpose, That the Lord *Inchiquin* having made an expedition into the County of *Kerry*, upon his return, sent for these Officers into his presence Chamber, and told them, *He intended to declare against the Army and Independent party in* England, *who kept the* KING *and Parliament under a force: That he would stand for the Liberty of the* KING *and Parliament, and a free Conference to settle Peace; and that he expected all his Officers should*

should joyne with him in so honourable an undertaking; but should take an Oath of Secresie, before he discovered himself farther to them. They answered, *They could take no such Oath before they knew whether they might with a safe Conscience keep it,* saying, *they would be true to the Parliament.* My Lord *Inchiquin* replied, *So have I, and will be; delude me not with ambiguous words: Doe you mean this pretended Parliament?* telling them farther, *he had good correspondence with all all the Presbyterians in* Scotland *and* England, *as well in the Parliament, as out of it; that he doubted not to go through with his undertaking; and if the worst hapned, to make good conditions for himselfe and his party. That he would make peace with the Lord* Taffe, *(and that he knew the Independents in* England *were upon Treaty with* Owen, Roe, Oneale,*) who was a man of their humour, and loved to keep all in combustion.* They refused to joyne, he dismissed them for *England.* The same day Letters from Captain *John Crowther* (Vice-Admirall of the Irish Seas) from a shipboard, were read in the House, much to the same purpose, though not so large: wherein he said, *He had already blocked up all my Lord* Inchiquin's *Havens.*

87. *Allen* the G smith, mo to put the House to t touch, by so Covenant, claration, &

Presently *Allen* the Gold-smith moved, *That since the Lord* Inchiquin *had discovered, that he had a correspondency with the Presbyterians in the House, before they dealt with their Enemies without dores, they should try who were their Enemies within dores, by putting all men to some Covenant, Engagement, or Protestation, &c.* and Lieutenant Generall *Cromwell* said, *That being to debate this businesse to morrow, whosoever with crosse Arguments shall spin out the Debate, and so retard our proceedings, (by my consent) shall be noted with a black Coale:* to which was answered, *That this tended to take away freedome of debate, which was the life of Parliaments, and of all Counsels; and was destructive to the very being of Parliaments.*

It is not amisse to insert here by way of digression, what I formerly omitted: Sir *Henry Mildmay* long since moved, *That* 150 *rich Guard-Coats of the* KINGS, *might be sold for* 800l. *to find Fire and Candle for the Souldiers in* White-hall. The Question put: The Speaker gave judgment, *the Yeas had it.* Mr *Edward Stephens* declared *the Noes had it.* They were unwilling to divide upon such a question: but Mr *Stephens* persisted; and *Robert Reynolds*

said aloud, *notice shall be taken of him, for putting such a dishonour upon the House.* Upon the Division, the *Noes* carried it by nine voices. Thereupon, complaint was made against *Reynolds*, for *attempting against the liberty of Voting*, but no redresse.

But to return from my digression: the next day (14 of *April*) it was moved that my Lord *Inchiquin's* Son, a Child of 8 or 9 years old, going to School at *Thistleworth, might be secured in the Tower and kept for an Hostage.* To which was Answered, *That no man could take an Hostage without consent: an Hostage must be given upon the publick faith, upon some stipulation, and must be so received, by mutuall agreement; you cannot punish the Child for the Fathers fault:* yet he was Voted to the Tower, and sent. My Lord *Inchiquin's* Commission as President of *Munster*, and Generall of the Army, Voted *void, and no man to obey him*, himselfe Voted *a Trayter*: yet no man examined upon Oath against him, nor any man sent to take information of the businesse into *Ireland*, and his professed Enemy, the Lord *Lisle*, is to go Generall into *Munster* in his roome; and the said fugitive Officers all rewarded, as if they had brought acceptable news.

This day *Reynolds* revived *Allens* motion for *putting the Members to the Test, by some Covenant, Protestation, or Declaration subscribed, That this is a Free Parliament, and that they would live and die with this Parliament and Army:* To which was answered,

1. That by Ordinance of both Houses, all men were enjoyned to take the Nationall Covenant. This Covenant is the true Touchstone of the Parliament, and so agreed upon by the wisdome of both Nations; yet many sit here who refuse to obey this Ordinancē: I know no reason therefore, why any man should obey you in any other Ordinance of this nature: let us keep the old Covenant before we take any new.

2. It hath been moved in this House, that the Oaths of Justices of the Peace, and Sheriffs, might be taken away: I hope you will not abolish legall Oaths, and impose illegall Oaths. This House hath not so much Authority, as to administer an Oath, much more to impose one: you must allow to others that Liberty of Conscience which you demand for your selves.

3. Major *Gray* told you, my Lord *Inchiquin* said he had correspondency with all the Presbyterians in the House, who had made

made their peace with the KING. But my Lord *Inchiquin* told him farther, the Independents were upon Treaty with *Owen, Roe,* and *Oneale,* let them clear themselves of that imputation first, before they give a purgation unto others, otherwise what you doe, will savour of force.

4. The true Touch-stone to try every mans integrity is, to examine, who have enriched themselves by the calamities of the times and your service: and who are impoverished.

5. This is a new device to purge the House.

The Grandees of the House have cantonized the Kingdome between them, every man in his Division protecting the Country Committees, and receiving tribute from them in recompence of their protection; and *Prideaux* the Post-master being king of the *West Saxons,* his Vice-roy or Lord Deputy for the County of *Somerset* is that running Col. *John Pyne,* who being often inspired with Sack, rules the Committee and County by inspiration. *Pyne* and his Peers of the Committee, to please his Superiours, set on foot a draught of a *Petition* to be handed by the Country, *Giving thanks to the Parliament for their 4 Votes against the* KING, and *promising to live and die with the Parliament and Army,* and *desiring the County might be freed from Malignants, Neuters, and Apostates*; which (in their interpretation) signifies *Presbyterians* and *moderate men,* who will not daunce about the flame when the Independents make a Bonfire of the Common-wealth. The Easterne Division of *Somerset-shire* rejected the Petition: in the Westerne Division *Pyne* and his Committee sending abroad their Sequestrators, with the Petition, (threatned to take them for Malignants & Sequester them that refused) got many Subscriptions; but the Subscribers since (better informed of the danger and mischiefe of those Votes) retracted what they had done by a *counter-Petition,* wherein they declared, that *their Subscription to the former Petition was contrary to their judgment and Consciences, and extorted by terror of Sequestrators, and threats of being Sequestred.* This affront stung the Committee, and opened the eyes of the Country: as the like foolish attempt of Sir *Henry Mildmay* did the eyes of the County of *Essex.* Wherefore to find a plaister for this broken pate, Sergeant *Wyld* (he that hang'd Capt. *Burly*) comming that Circuit, care was taken to have a select Grand-

38. The County compelled to give thanks to the Houses for their Votes against the King.

Jury

Jury of Schismaticks and Sequestrators blended together, who made a Presentment subscribed by 19 of their hands, which Sergeant *Wyld* preserved in his pocket; and upon Tuesday, 13 *April*, delivered with as much gravity as a set speech and set ruffe could furnish him withall in the House of Commons, and was read and hearkned unto by the thriving Godly, with as much attention, as pricking up of eares, and turning up of eyes could demonstrate: the Contents of this Presentment were the same with the aforesaid revoked Petition. Great care was taken to give thanks to the High Sheriffe and Grand Jury, who had so freely delivered the sense of that wel-affected County: and as much care taken to improve this Talent and put it to Interest throughout the Kingdome. Col. *Purefoy* is now at this work in *Warwick-shire*. Sir *Arthur Hasterigge* about *Newcastle*: others in other places. Pitifull Crutches to support a cripled reputation, which now halts and begs for relief worse then their owne maimed Souldiers doe, and with as bad successe they have jugled themselves out of credit, and would faine juggle themselves in again. Behold the wisdome of our Grandees; wise, religious, new-modelled Polititians, who have brought themselves and the whole Kingdome into these deplorable, contemptible straits; take notice of your Representative you that are Represented, call them to a seasonable account: But whether doth my zeale carry me? I shall anon stumble upon a new fangled Treason to be declared against me without, nay against law.

89. Friday, 21 *April*, an Ordinance was presented to the House, intituled, *For suppressing all Tumults and Insurrections*, (the Committee of Safety at *Derby-house* had before an ample power conferred upon them for that purpose; but guilty consciences though they be safe, are never secure; like *Cain*, they think that every man will slay them) it was passed after some amendments to this purpose, *That any three Committee-men shall have power to Imprison and Sequester all such as shall actually adhere to any that shall raise, or endeavour to raise Tumults and Insurrections; or shall speak or publish any thing reproachfull to the Parliament, or their proceedings*: Behold here an excise (amounting to the value of all you have) set upon every light word: a man made an offender for a word, to the utter ruine of him and his posterity; under colour

ns tongues up by an dinance.

colour of *defending Laws, Liberties,* and *Properties,* you are *cheated of them all,* and *reduced* to meer and absolute *slavery* and *beggery:* you are not masters of your own carkasses, yet your mouths are buttoned up; you must not be allowed that silly comfort of venting your griefs by way of complaint: what Tyrant was ever so barbarous, so indiscreet as to do the like? It was moved that Offenders of this kind might be bound to the good behaviour, and the offence proved openly at the Assizes or Sessions, before so destructive a punishment be inflicted. There are three principles in Law, of which the Laws are very tender, and will not suffer them to be touched but upon great Offences, cleer Proofs, and exact formalities observed; *life, liberty,* and *estate:* by *Magna Charta,* the *Petition of Right,* and many other Statutes; these principles are so sacred, that nothing but the Law can meddle with them, *Nemo imprisonetur aut disseisietur nisi per legale judicium parium suorum.* You have made the people shed their mony and bloud abundantly, pretending *defence of Religion, Laws,* and *Liberties*; let them now at last (being a time of peace) enjoy what they have so dearly paid for; and delay them not with a pretended necessity of your own making; you now make all that is, or can be neer and deer to them, lyable to the passions of three Committee-men, to judge and execute according to their discretion, without Law; or so much as a formality thereof: And yet both Houses of Parliament have often heretofore offered to abolish those Committees, as men, whose wickednesse and folly they and the whole Kingdome were ashamed of. The Grandees of the Parliament and Army, when the Houses are called, and full, have resolved to draw their Forces neer about the Town, and by that terrour to trie the temper of the Houses; such Members as will not comply with them, they will with fresh Charges purge out of the Houses, and publish base and infamous scandals against them, to which if they submit with silence, they betray their reputations forever, and spare the credits of their jugling enemies. If they make any defence for their honours by way of apology, they shall be brought within the compasse of this devouring, inslaving Ordinance, as *men that reproach the Parliament, and their proceedings.* Thus the same whip shall hang over the shoulders of the Presbyterian party, (who will not agree to *King-deposing,*

Anarchy and *schisme*) as it did formerly over the KING's party. And the Presbyterians shall be squeezed into the Independents coffers, as formerly the KING's party were, so long as they had any thing to lose; for the whole earth is little enough for these Saints, who are never satisfied with mony and bloud, although they never look towards Heaven but through the spectacles of this world. The old *elogium* and character of the English Nation was, that they were, *Hilaris gens, cui libera mens, & libera lingua.* But now (Country-men) your tongues are in the stocks, your bodies in every gaole, your souls in the dark, and estates in the mercy of those that have no mercy, and at the discretion of those that have no discretion: Farewell *English liberty.*

90. Kentish mittee-e. In the *Epistle* to this Book, I have given you an account of the bloudy Answer given to the *Surrey* Petitioners, *May* 16. 1648. I must in the next place speak something of the *Kentish Petition*, and of the *Committee-war* there raised to oppose it; which took his rise and beginning partly from the insolency and oppressions of their tyrannicall *Committee-men*, (persons for the most part of weak fortunes, and weaker wits) and partly from the frantick zeale of the Mayor of *Canterbury* (who for his Religion, prudence, and honesty, may well be younger Brother to *Warner* Lord Mayor of *London*) upon *Christmas day*, 1648. sundry people going to the Church of *Canterbury* to solemnize that day, were uncivilly interrogated and roughly handled by the Mayor, as if it were superstition, nay impiety to serve God upon that day; or as if some daies were exempted from serving God, as some daies are exempted from worldly labour: this grew to a Tumult, which the Committee of the County hearing, they presently gathered Forces to make ostentation of their power in suppressing it, but were prevented by intelligence that all was quiet; but this quietness was rather a truce, then a lasting peace; a desire of revenge against the Major for wounding some of the people, like fire hid under ashes, broke forth two daies after; but was presently pacified by the discreet endevors of Sr *W. Man*, Ald. *Sabin*, & Mr *Lovelace* a Lawyer. The Committee of the County presently assemble *forces*, with wch (together with their Chaplaines, and other instruments of war) they march to reduce that City; and (though they had news that *all was appeased*) yet would they not believe it, but continued

nued their march in Triumph; where finding the Gates open, they took them off and burnt them, threw down part of their Walls, thereby degrading the City, and turning it into a Village, as a Trophy of their high indignation; committed many to Prison upon light suspitions, amongst whom, the aforesaid 3 Peacemakers, for being so saucy as to compose the difference, and thereby deprive their *highnesses* of a Triumphant Victory. For these upstart Committees mounted above the sphere of their activity, and having stolne His Majesties Sword (His principall mark of Soveraignty wherewith He protects His people) out of His Scabbert, know not how to use it, but to the destruction of the people: like ill natured Children, they have gotten a gay thing, and must do mischief with it. And for farther magnifying of their power to the Country, and their diligence to the Parliament, they charged these Prisoners with High Treason, and so forgot them languishing in Gaole, had not those Gentlemen remembred themselves, and clamoured for a Triall; which at last was granted them by a Commission of *Oyer* and *Terminer* to Sergeant *Wylde*, and Sergeant *Creswell*: the Juryes were men known to be wel-affected to the Parliament, who found *Ignoramus* upon the Bill, and (notwithstanding many checks and taunts from the Committee, and the refusing of the return) adhered, so that the Court adjourned for some Months. Hereupon the Kentish men fearing the tyrannicall disposition of their Committees, consulted with the said Grand Jury upon the place concerning a Petition to the Parliament *for Peace*, to end our distractions; wch Petition was subscribed by the Grand Jury, in the name of the whole County. The Committee jealous that these things would hearten the people, and loosen the bonds of that slavish feare, wherein they had hitherto held them captive; printed, and caused to be published in all Churches a Paper prohibiting the same Petition, and branding it with the name of *seditious and tumultuous*, saying, *they would hang two in every Parish that were Promoters of it, and Sequester the rest*. And endeavoured first to raise Forces in the County; but at last made their complaints to the Army. When the Country saw their just desires like to be suppressed by Armes, and themselves to be still Committee-ridden, they resolved upon a place of meeting to promote their Petition, and

to come Armed thither for their owne defence onely. But the County Committee plied their businesse so well with the Committee of *Derby-house* and the *Army*, that they first drew a party of Horse into the County, who committed many murders according to custome; and then the whole Army, which at *Blackheath* encamped on the same place where the Petitioners intended to *Rendezvous*. So the result of all is but this: The whole County of *Kent* oppressed with a tyranous Committee, and a lingring War, now likely to be renewed; prepare to present a Petition to the Parliament *for Peace:* and had appointed a day and place of meeting, which by reason of the large extent of the County they could not alter at the pleasure of the Committee: and being terrified by the menaces and warlike preparations of the said Committee, brought their Arms with them in order only to self-defence, (allowable by the Lawes of God and man, and by the doctrine and practice of this Parliament and Army; and peradventure induced thereto by the sad Massacre of the *Surrey* Petitioners.) The Committee to support their usurped, illegall authority, invite an Army to breake in upon them with *fire* and *sword*, and so enforced them upon thoughts and actions of War, never before thought on: as will appear.

1. Because many of the Petitioners went home the next day after the *Rendezvous*.

2. The County had provided no Generall, nor no old Commanders.

3. They never thought of forming an Army untill Sir *Thomas Fairfax* was storming one of their Townes.

4. The *Kentish-men* were compelled to take in *Sandwich*, and the 3 Castles, lest they should fall upon the backs of them when the Army marched against them; yet did they hurt no man in person or goods: which argued a peaceable disposition, aiming onely at defence. Thus you see a whole County alwaies well-affected to the Parliament, complaining of a few Independent sectary Committee-men, Sequestrators, &c. for infinite Oppressions and cheats daily committed: They being weighed in the scales together, the whole County are thought too light for want of an unpartiall holding the ballance even: one prudentiall consideration; That they must not discountenance their friends

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(as they call the Committee) and something else more substantiall, being put into the Committees scale hoyseth the whole County into the ayre. And when the Parliaments Army was on *Blackheath*, the County sending some of their Gentry with petitionary Letters to the House of Commons, declaring *the peaceablenesse of their inclinations, their continued obedience to the Houses, and a desire their grievances against their Committee might be put into a way of Examination and redresse*: they could obtain no other Answer (the schismaticall ingaged party overpowring the House with the neer approach of their own Army, for it it is no bodies else) then, *that they would send them an Answer by their Generall*; which was as much as if they had said, *They would send an Answer by the Executioner*: the terror of this Answer made the Country desperately ingage in an un-premeditated Warre, for which they were wholly unprovided, as the irresolute and distracted managing of it makes manifest. But this advantage was greedily laid hold of by the Saints, to ravish a Victory from the Country, which they were resolved to use with so much secresie and solemne cruelty, that the example thereof should strike an awfulnesse into the hearts of all that should hear of it, and beget a slavish fear in the whole Kingdome to submit to the laying aside of the KING, and His Negative Voice; and the establishing of a tyrannicall Olygarchy in the Grandees of the two Houses and Army: for finding the whole Kingdome to hate them with a perfect hatred, they have no hope to Govern by Love, but by Fear; which (according to the Turkish rule) is more predominant and constant passion. And certainly had not *Goring's* passing over at *Greenwich* into *Essex* compelled *Fairfax* to follow immediatly after with his Army, they had been used with much extremity: insomuch that *Weaver* (a Member, fuller of zeale then wisdome; though wise enough for his own profit, as most Saints and Knaves are) moved in the House, *That all* Kent *might be Sequestred, because they had Rebelled*; *and all* Essex, *because they would Rebell.* And truly this is as good a way as *Cromwell's* selling his Welch Prisoners for 12d. a head, to be transported into barbarous Plantations; whereby, to expell the *Canaanites* and make new Plantations in old *England* for the Godly, the seed of the Faithfull: for this Faction (like the Devill) cry, *all is mine.*

91. ury-Castle ided upon tate.

27. *May.* A friend of my Lord *Say's*, moved the House of Commons, *That* Banbury-Castle *might be demolished to prevent any Surprise thereof by Malignants*, saying, *it had already cost the State* 200000l. *to reduce it, and had undone the Country; which was unable to pay for it: It belonged to a Noble, Godly person, the L.* Say, *and it was not fit to demolish it without his consent and recompence; it was therefore desired the State should bear the charge, his Lordship being willing to sell it for* 2000l. To which was Answered, *That other wel-affected Gentlemen had their Houses destroyed for service of the State, without recompence; not so well provided to beare the losse as my Lord* Say: *as Mr* Charles Doyly, *two handsome habitable Houses, Mr* Vachell, *some Houses in* Reading; *and others well deserving of the State, though not of themselves.* This Castle was unhabitable, a rude heap of stones, a publike nusance to the Country. It cost his Lordship but 500l. and now to obtrude it upon the State at 2000l. price, in so great a scarcity and want of mony, the Kingdome groaning under Taxes, was not reasonable. So divine providence not saying *Amen* to it, this Cheat failed like the untimely birth of a woman.

92. impeached ls, Mem- and Al- ien.

About the beginning of *June*, a debate hapned in the House of Commons about the four imprisoned Aldermen, occasioned by a Petition from the City, and concerning the impeached Lords and Commons. Mr *Gewen* spake modestly in their behalf, saying, *That what they did was done by virtue of an Ordinance of Parliament made this very Sessions of Parliament, and without any intent to raise a new Warre, but onely to defend the City against the menaces of the Army marching up against them and the Parliament.* But Mr *Gourdon* (a man hot enough for his zeale to set a Kingdome on fire) Answered, *He thought they intended a new War, and were encouraged thereto by the Gentleman that spake last; when he said to them at their Common Councell, Up and be doing:* Mr *Walker* (perceiving Mr *Gewen* to be causlesly reflected upon) replied, *That since this debate upon the City Petition tended towards a closing up of all differences, it was unfit men that spake their Consciences freely and modestly should be upbraided with Repetitions tending to dis-union*; and desired men might not be permitted to vent their malice under colour of shewing their zeale: when, presently *Tho: Scot*, the Brewers Clerk (he that hath a Tally of every mans faults but his

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own hanging at his Girdle by virtue of his Office; being Deputy-Inquisitor, or Hang-man to *Miles Corbet*, in the clandestine Committee of Examinations, replied upon Mr *Walker*, *That the Gent. that spake last was not so wel-affected, but that the close Committee of Examinations would find cause to take an order with him shortly*: Master *Walker* offered to answer him, and demanded the justice of the House, but could not be heard: Those that spake in behalfe of the Aldermen, were often affronted, and threatned with the displeasure of the Army, which they alleaged, *would be apt to fall into distempers if we discharged them.* Notwithstanding these menaces, it was Voted, that *the House would not prosecute their Impeachments against the said four Aldermen, Sir* John Maynard, *and the seven Lords; and that they would proceed no farther upon their Order for impeaching Master* Hollis, Sir W. Waller, &c. Two or three daies after, a motion was set on foot, *That the Order whereby the said Members were disabled from being of the House might be revoked*; many Zealots argued fiercely, and threatned against it; amongst other arguments for them, a President was insisted upon, *That Master* Henry Martyn *was by Order disabled from being a Member, yet was afterwards re-admitted upon his old Election*: and desired these Gentlemen might find equall justice. The House having freed them *à Culpa*, could not in equity but free them *à pœna*, and put them in the Remitter of all that belonged to them. But Sir *Peter Wentworth* answered, *That* Mr Martyns *case and theirs differed*; Mr Martyn *was expelled for words spoken against the King, such as every mans Conscience told him were true; but because he spake those words unseasonably, when the King was in good strength, and the words (whether true or false) were in strictnesse of Law, Treason; the House* (especially the lukewarm men) *considering the doubtfull events of war, disabled and committed him, lest the whole House might be drawn in compasse of High Treason for conniving at them*: which was a prudentiall act, contrary to justice, and contrary to the sense of the Godly and honest party of the House. But afterwards (the King growing weaker, and the Parliament stronger) the House restored Master *Martyn*; and thought fit to set every mans tongue at liberty to speak truth even against the King Himself; and now every day words of a higher nature are spoken against Him, by the wel-

affected

affected Godly in the House. After many threats used by *Wentworth, Ven, Harvy, Scott, Gourdon, Weaver, &c.* The said disabling Order was repealed.

93. bers ad- to the mittee fety at *r-house.*

About the same time the Lords sent a Message to the Commons, that *they had named six Lords to be added to the Committee of Safety, and desired the House to adde twelve Commons to them.* (This had five or six times been brought down from the Lords before, and received so many denialls, but the Lords would not acquiesce) The Message came downe about one of the Clock, the House being thin, many argued against it, saying, That there were seven Lords and fourteen Commons of that Committee already, enough (if not too many) to dispatch businesses with secresie and expedition; That to adde six Lords more to them was (in effect) to make the whole House of Peers of that Committee; so the whole House of Peers, & twenty six of the ablest and best spoken Commons being ingaged in that Committee, that Committee would sway the Houses which way they pleased; draw, by degrees, all power and authority from the Parliament to themselves; cause the Houses to adjourn at pleasure, or leave them so evirtuated and enervated, that they should no longer keep the dignity nor Authority of a Parliament; contrary to the Trust reposed in them by those that chose them, and contrary to the tenor of the Writ of Election. It were more for the service of the Common-wealth to examine what the powers of that Committee are, and to set a short time for its continuance, and not leave it indefinite as now it is. After more then an howers debate, the Speaker (instead of putting the question, whether an addition or no?) called to have the names read, first of the Lords, who were Voted, one, by one; and then the Commons were named, who are almost all Independents; *Weaver* excepted against the naming of Major Gen: *Browne*, to be of that Committee, for being disaffected to the Army: to which, Major Gen: *Browne* gave a discreet and an honest Answer: in reply to which, *Weaver* concluded, That the Parliament in the posture it was in, was not likely to save the Kingdome, but the Committee of Safety and the Army must save it: whereupon, satisfaction was demanded against *Weaver* for dishonouring the Parliament, and alleaged, That the Honour of the Parliament was more considerable then the Honour

nour of the Army, and ought to be vindicated before the honour of the Army, whatsoever their Agents and Servants in the House (who gained by them) thought to the contrary, unlesse they would acknowledge the Parliament to be subordinate to the Army. It was farther said, That if the Parliament should relinquish the work of setling Peace, Religion, Laws, and Liberties in the Kingdome to the Committee of Safety, (as the Gentleman that spake last seems to intimate, that in order thereto, the said Committee is enlarged) the Parliament should forsake their trust, and be no longer a Parliament, and all they had done, and should doe in that way, (even the erecting, empowring, and enlarging of that Committee) is void in Law: Note, that severall Orders have been made, appointing set daies to examine the powers of this Committee, and limit a time for its determination; but alwaies upon the daies appointed either some Letters of News, or some new invented Plots have been cast like stumbling blocks in the way to put it off.

The like for setling the generall Militia of the Counties; all which, are now left, *sine die*.

Thursday, 15 *June*, Mr Solicitor reported to the House, That Sir *William Massham*, and the rest of the Committee, were carried up and down in the head of *Goring's* Army, hardly used, and threatned to be set in the front of the Battle when they came to fight: and moved that 20 of the Kings party should be seized, and sent to the Generall to be used in the like manner. But *Gourdon* moved, That the Lady *Capell* and her Children, and the Lady *Norwich* might be sent to the Generall with the same directions, saying, *their Husbands would be carefull of their safety*: and when divers opposed so barbarous a motion, and alleaged, *the Lady* Capell *was great with Child, neer her time*. *Gourdon* pressed it the more eagerly: (as if he had taken the Generall for a Man-midwife) he was seconded by *Ven*, Sir *Hen: Mildmay*, *Tho: Scott*, *Blackstone*, *Hill* of Haberdashers-hall, *Purefoy*, *Miles Corbet*, &c. Note that *Rushworth* (Secretary to the Generall) reported at the Commons Bar, *The Committee were well used, and wanted nothing*. And though they have had many Fights and Sallies, they did never put any of the Committee in the Front; so that it should seem this is onely a fabulous pretence to carry 20 of the Kings party

94. 20 Royali sent to the nerall in of 10 Co mittee-me Colchester.

party in Front before them to facilitate and secure their Approaches against the Enemies shot, which is the more credible, because the sense of the House was, *not to exchange these for the Committee.* This is to cheat the Enemy of a Town, not to Conquer it. Behold the Saints way of getting Victories; and *Cromwell* practiseth the same in *Wales*, as I heare.

And that it may farther appear, this Saint-like Army neither Conquers by Miracle, nor the Sword, but by the battery of Angels, I can assure you that lately one of the setting-bitches of these States (as they now call themselves in their forain negotiations) the *hogen mogens* of *Derby-house.* The Lady *Norton* (Wife to bul-headed Sir *Grig.*) offered a large sum of money to a Gentlewoman to procure her Husband to yeild up a Hold he keeps for the KING; using this argument to perswade it, *That most of the good Towns they seemed to Conquer were purchased of men that had wit enough to respect themselves,* (for you must know that this vertuous Lady trucks as well for strong Townes and Forts, as for Plackets and other weaker pieces) but the motion was contemned. And the Generall having gotten together the Trained men of *Suffolke* and *Essex* to assist him, putteth them in the Forlorne Hope in all his stormings of the Towne of *Colchester*, and drives them on with his Horse, using them as the Turke useth his *Asapi* to dead the first fury and edge of the Enemy, that his Janysaries may at last come on with the more safety, and carry the businesse.

95. Nationall Covenant. Saterday, 17 *June.* It was moved, that no Commissions might be granted to any Commanders or Officers, untill they had taken the Nationall Covenant: against which, it was argued, That the Covenant was become the pretence of all Rebellions and Insurrections; that most of them that had Rebelled in *Wales*, *Kent*, *Essex*, had taken it; but those that refused it were true friends to the Parliament, and had done them gallant service. That the Covenant had so many various interpretations put upon it, that no man knew what to make of it, or how with a safe Conscience to take it: thus argued the Independents, as if the Covenant were *malum in se.* To which was Answered, That by this last reason, they might lay aside the Scriptures, which were frequently and variously mis-interpreted by Hereticks & Schismaticks. If the

Covenant

Covenant in its owne nature were the cause of Insurrections, it was unwisely done of the Parliament to impose it upon men; and to tie them by Vow to defend it, and one another in defence of it, with their lives and fortunes: whatsoever number of Armed men should gather together in defence of the Kings Person, Crown and Dignity, or of Religion, Laws, Liberties, or of Priviledges of Parliament, according to the said Covenant, they have the authority of Parliament, nay of Heaven (where their Vow is recorded) for what they doe: and cannot be said to Rebell, or War against the Parliament, but against a Faction, who having deserted, or never taken the Covenant, to carry on new designes for their own advantage: doe now mis-apply the Title of *Malignant*, and *Rebell*, to those which fight for the Covenant, because they will not change their principles with them for company. And upon this ground onely were the foure Aldermen, seven Lords, Sir *John Maynard, &c.* impeached and imprisoned, onely for such actions as the Covenant (which they took by authority of Parliament) bound them in conscience unto: and for which they had a speciall Ordinance of Parliament, made this very Sessions: and not to raise a new War, as was scandalously and violently enforced upon them: Had it come to a new War, it must have been laid at their dores that subvert the principles in the Covenant. Many have taken the Covenant in obedience to you, and are bound up by it; and now to leave other men at large not to take it, and accuse them of *Treason* for endeavouring to keep it; is very unjust. You have lately promised the Scots, *you will adhere to the Covenant*: how can they believe this, unlesse you injoyne all to take it? And so long as you put all the Armes, Garrisons, and Ships of the Kingdome, and all Places of power, profit, and preferment, into the hands of Schismaticks and Antimonarchists, whose principles and actings run counter to the Covenant; and such as talk much of your service, but have done only their own: in order to which, they refused to obey you and Disband, ravished the King from you at *Holdenby*, kept you in wardship ever since, and dishonoured and brought you low with treasonable, scandalous, threatning Engagements, Declarations, Remonstrances, and other Papers? But those that would have had the Covenant current, could not get the question put.

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Upon Saturday, 17 *June*, 1648. about one of the clock afternoon (most of the House being gone to dinner, and very few Presbyterians left) the Speaker of the House of Commons stood up and told the House, That he had received Letters from *Richard Osborne* (he that projected to deliver the KING out of the custody of Colonel *Hammond* at *Carisbrooke-Castle*) that he conceived the Letters tended onely to the setting of us all together by the ears; and propounded, Whether they should be read or no? some were against the reading of them, but the major part called to have them read: which was done accordingly. The Letter to the said Speaker had a Copy of another Letter enclosed in it, to the Lord *Wharton*, which bore date 1 *June*, 1648. to this purpose, *Giving his Lordship to understand, That upon private Conference with Captaine ROLFE (a man very intimate with Colonel* Hammond, *and high in the esteem of the Army) the said Captain* Rolfe *told him* (the said Osborne) *that to his knowledge* Hammond *had received severall Letters from the Army, advising him to remove the* KING *out of the way by Poyson, or any other means, for it would much conduce to their affaires. But* (said Rolfe) Hammond *hath a good allowance for keeping the* KING, *and is therefore unwilling to lose so beneficiall an imployment. But* (saith Rolfe) *if you will joyne with me, we will endevour to convey away the* KING *to some secret place, and we may then do what we will with Him.* Osborne offers in his said Letter, *That if he may come and go with safety, he would come and justifie this Relation upon Oath.* He likewise writ to the Speaker of the Lords House about it. Then was read *Osbornes* Letter to Mr *Lenthall* Speaker, dated 10 *June*, 1648. containing the same Narration, with an Offer to appear & make it good upon Oath if he might come and go with safety and freedome. The Clerk had no sooner done reading this Letter, but with a slight neglect, and the laughter of some Members, the businesse was passed over without Debate, and Mr *Scawen* stood up to propound a new businesse from the Army; when presently, Mr *Walker* interrupting *Scawen*, desired to speake a word to the late businesse; and asked Mr Speaker, *from whence that Letter came, and who brought it?* the Speaker called upon the Sergeant of the Mace, who Answered, *The Letter was given him at the dore by a man that he knew not; that he had many Letters and*

Papers

Papers thrust upon him of which he could give no account, but he would endevour to find the Messenger. Then Master *Walker* urged, that *such an information comming to the House, ought not to be neglected whether true or false, but to be examined and sifted to the bottome. If the* KING *should die a naturall death, or any mischance befall Him, the people (calling to mind how little care we had taken of His safety) would never be satisfied with our Protestation*; and moved, *that a Committee might be named to examine* Osborne, Rolfe, Hammond, *and such others whose names should occur in the Examination.* This was seconded by Sir *Symond Dewes*, Mr. *Henry Hungerford*, Mr. *Edward Stevens*, and some others, who pressed it farther. But received a slight Answer. *That those that desired to examine the businesse knew not where to find* Osborne. *That* Osborne *was a Malignant, and had attempted to set the* KING *at liberty.* To which Master *Walker* replied, *That the other day we had named a Committee to examine the business concerning the Foot-boy that strook Sir* Henry Mildmay, *and yet we neither knew then, where to find the Foot-boy, or what his name was. If we do but publish that* Osborne *shall with freedome and safety come and go, in case he appear to make good his Charge; either he will appear, or we shall declare him an Impostor, and punish him when we take him, and cleer the Reputations of those upon whom this Letter seems to reflect. Consider how vast a difference there is between Beating a Subject, and Killing a King. And if* Osborne *(whom I know not) be a Malignant, yet unlesse you can prove him a Nullifidian, or a person convict of Perjury, both according to the Rules of Christian Charity, and in the charitable intendment of our Laws, his Oath is valid and good.* Then *Tho: Scott* stood up and said, *That this pressing for a Committee to examine this businesse, was but a device to draw Col.* Hammond *and* Rolfe *up to Towne to be examined, that the* KING *might the easier make an escape.* And Sir *John Evelin* of *Wilts*; alleaged, *that he conceived this was an invention of* Osborns *to bring the* KING *to Town with Honour, Freedome, and Safety.* Then *Walker* stood up againe, but was interrupted by Master *Hill*, and not suffered to speak, having already spoken twice. At the end of almost every motion made for a Committee to examine the busineſſe, either Master *Scawen* or Major Generall *Skippon* stood up and offered to divert the busineſſe by new matter con-

cerning the Army: which usually beareth all other businesses down before it. At last those few that moved for an Examination of this Information, having spoken as oft as the orders of the House do permit, were forced to be silent; so the businesse was buried in silence. I hear that some of the Lords called upon this businesse the Monday following, being the 19 of *June*, and that the Lord *Wharton* being asked, *Why he did not impart* Osbornes *said Letters to the House?* Answered, *That as soon as he opened the said Letter he received from* Osborne, *and saw his name at the bottome, he looked upon the businesse as not considerable*: yet he sent the Letter to *Hammond*. Upon Tuesday, 20 *June*, The Lords sent a Message to the Commons; the first Paper whereof concerned *Osbornes* said Letters: they desired *that forty daies might be assigned for* Osborne *to come and go with safety to make good his Information*. But Sir *William Armyne* stood up, and desired, *That the minutes of two Letters prepared to be sent into* Holland *and* Zealand *concerning our revolted Ships might be first dispatched, as being of present use*. And when the businesse was ended, Mr. *Pierpoynte* propounded another part of the said Message. So *Osborne's* Information was left *sine die*, for that time; but since, the Lords have quickned it, and 40 daies are given to *Osborne* to come and go with Freedome and Safety to make good his Information; who is come, and avoucheth it; and one *Dowcett*, speaketh much in affirmation of a designe of *Rolfe's* to Pistoll the KING. *Rolfe* presents himself at the Commons Bar, with a Letter from *Hammond*, which denies the Designe, and pleads *Rolfes* cause for him. *Rolfe* denied it at the Commons Bar with a trembling voice, yet afterwards hid out of the way; but being discovered upon search, he was found to have a Byle upon him that disabled him from riding, otherwise (it is thought) he would have fled far enough. I doe not hear that *Hammond* is yet sent for, or questioned. And for *Osborne's* indeavour to convey His Majesty from *Carisbrooke-Castle*; it is alleaged, he did it with a charitable intent to preserve His life, and not out of any disaffection to the Parliament, to which he hath been affectionately serviceable. Though many take offence at Master *Walker*, as if his stirring of this businesse were onely to cast an aspersion upon the Army: yet (I conceive) that what he did, was commendable. In discharge of the duty he

owes

owes to God, his King, and Country, and of his Trust as a Member of the Representative body of this Kingdome, and in performance of the obligations which the Oath of Allegiance, the Parliaments Protestation, the Nationall Covenant, and the knowne Lawes of the Land lay upon him, which duty he was bound to perform, (though with the extreamest hazard of his life and fortunes) and though he may happily hope better things of this Army; yet since neither the Laws of the Land, nor common reason warrants him to presume upon his owne private hopes and judgment, (things which often deceive the wisest men in matters of far lesse moment) he could doe no lesse then free his conscience, by making the whole House Witnesses of the cleernesse of his actions and intentions. Considering,

1. The many high speeches and threats often used against the King in all places, none excepted.

2. The dangers the King escaped from this very Army, which drove him from *Hampton-Court* to the *Isle of Wight*; and may possibly pursue Him thither.

3. The Antimonarchicall principles wherewith many Members of this Army, and their Chaplains, and many elswhere are seasoned; who cannot govern this Kingdome at their pleasure by a military Olygarchy of Grandees of the Committee of Safety at *Derby-house* and the Army, (and so establish the kingdome of the Saints) nor yet bring it to their owne *levell*; but by taking off *summa papaverum capita*, all that is high and eminent. There is a Crowned Head in their way which must be removed.

4. The corrupted fantasies of many Antimonarchicall Scismaticks with Revelations and Raptures, who serve the Devill for Gods sake; making him the Authour, and the doing of his will the pretence of all their crimes and villanies.

5. The many desperate, guilty persons that feare Peace; and are resolved, now the Sword is out, to burn the Scabbard. These look upon the King with an evill eye, as the Centre in whom all Interests must unite before we can have peace. Despaire tempts these men to make one sin a degree and step to a higher. These three last sort of men having cast off all feare of God, will as easily contemne Gods substitute, the King; as he that casts off all reverence to the King, will contemn his substitute, a Constable.

6. The

6. The continuall endeavours of the Grandees of *Derby-house* and the Army, to put all the Armes, Garrisons, Ships, and strengths of the Kingdome into the hands of Antimonarchicall, schismaticall Independents: in order to which, they are raising of new Forces, and erecting new Garrisons in most Counties. These men when they could not get a power from the House of Commons to raise what Forces they pleased, (for when it was moved, they there ordered, *that no more motions should be made for raising new Forces, but between the houres of ten and twelve*) yet what they could not get by their leave, they now take without their leave: The Generall granting Commissions, for raising and listing Horse and Foot in almost all Counties; for example, Sir *Hardres Waller* (that one-eyed *Polyphemus* of pasteboard) lately sent forth Commissions in the County of *Devon:* (by vertue (as his Commissions say) of the power granted him from his Excellency) for raising, listing, and training Horse and Foot, which shall be no burden to the County, but be in pay with the rest of the Army. In these Commissions he stileth himselfe *(untruly) Commander in chiefe of all the Forces of the five Western Associate Counties*: and gave authority and encouragement to the wel-affected (that is, to Independents, Sectaries, Antimonarchists, and the more desperate, forlorn sort of people) to enter into, and subscribe Engagements *to live and die with the Army* (an imitation of the Members Engagement) *in defence of the Parliament*, (that is, of the ingaged faction of Independents, Schismaticks, and corrupt persons, whom onely the Army looks upon as the Parliament) witnesse the Declaration of Sir *Thomas Fairfax* and his Councell of War, shewing the grounds of their advance to *London*. This usurpation was complained of in the House of Commons, Monday 19 *June*, and prohibited then by Order.

7. Peradventure the reason why this Letter was published so unseasonably in a thin House, in so slight and surreptitious a way (as aforesaid) was, in hope it would have been passed over in silence (as it had like to have been) and so the whole House should have been engaged in the crime (if any such thing be intended) as *guilty of connivance and negligence*; though *not as Actors guilty of the fact*. The main scope of this Party hath ever been, *by Treaties of Accommodation, uniting all Interests*, and other devices, to involve

volve others in their crimes, to infect others with their diseases: that all standing in need of one and the same desperate way of cure, may joyntly have the same friends and foes, and the same sins and quarrels to defend.

8. Friday, 16 *June*, 1648. I was told, the Committe of *Derby house* had lately received a Letter from Col. *Hammond*, Governour of *Carisbrooke-Castle*, informing them, *That unlesse they supplied him with Mony and Men, he could give no good account of the* KING, *in case the revolted Ships should attempt His rescue:* and farther, *That he had matters of great importance to communicate to them, but durst not commit them to Paper; but if they would send for him up, or send a Confident of theirs to him, he would impart them.* This may probably be the businesse whereof *Osborne* gives information in his said Letters: and it may be Mr *Walker* had heard of this report in the Hall as well as my self; and might have the same conceit of it, that I have; If it be lawfull for me to take measure of another mans judgment by my owne.

9. Lastly, who knows whether a powerfull, desperate party, may not have a designe to take away the *Kings life*, and then declare his second eldest Sons uncapable of Government; supposing they deserted the Kingdom, and invited forain States to invade it: and then Crown the Duke of *Gloucester*, and so (abusing his tender years) usurp the protection of him, and under colour of that authority establish (by degrees) their own usurpation, and the peoples slavery: having subdued their spirits by a long and customary bondage, under them; and having filled all Places of power, profit, and preferment in the Kingdome with men of their own principles and Interests; their owne creatures and Confidents? This Army (last *April*) in their Councell (amongst other things) debated, *The Deposing of the* KING, (why not murdering as well, since few Kings are deposed and not murdered) *Disinheriting the* PRINCE, *and Crowning the* DUKE *of* Yorke: which was then approved of by *Cromwell* and *Ireton*. Why may they not now dis-inherit both the elder Sons and Crowne the Duke of *Gloucester* as well? See the excellent *Remonstrance* of the *Colchester* Knights and Gentlemen, 1648. which I have printed herewith for your satisfaction. That some such designe might be to make away the KING, and dis-inherit the Prince,

may

may well be suspected; because the 12 day of *July*, upon information, *that the Prince had sent into* England *some Blank Commissions to List men: Weaver* (an Implement of the Army, and Son to an Ale-house-keeper in *Wiltsh.*) moved the House of Commons *to Vote the Prince a Traytor, &c.* And (I hear) *That* Mr Solicitor (contrary to his Oath and duty of his place) *refuseth to be of Councell against the said* Rolfe; this Gentleman the Solicitor hath got above 3000col. by keeping open shop to sell the cruell mercies of the new Great Seale to the Royalists.

97. y-house on for a nall 7.

The 29 *June*. A Petition was delivered the House of Commons from the Masters of *Trinity-house*, Masters and Captains of Ships, and Sea-men, *for a Personall Treaty with the* KING; declaring *the great decay of Trade, to the undoing of many thousand Families, and that they would not fight against the revolted Ships, their Brethren; who desired but the same things with them. Tho: Scott* said, *That the* Surry-men *first delivered a Petition for a Personall Treaty, which was seconded by the* Kentish men *in Armes, and they by the City of* London: *that all this was a designe to ruine the Godly party. That he had read of a man, who being asked when he was young, Why he did not Marry? Answered, It was too soon: and being asked the same question when he was old, Answered, It was too late. So he was of opinion, there could be no time seasonable for a Personall Treaty, or a Peace with so perfidious and implacable a Prince; but it would alwaies be too soon, or too late. He that draws his Sword upon his King, must throw his Scabbard into the fire. All peace with Him will prove the spoile of the Godly.* To which was Answered, *That some men got well by fishing in troubled waters; and accounted peace their spoile, because War was their gaine: and they looked upon a Personall Treaty as a designe against them* (under the notion of the Godly, Honest, Confiding party) *because a Personall Treaty was the high way to peace. But the generality of the people* (who were dispoiled of their Estates by the war) *resolved upon a Personall Treaty, without which there is no hope of peace; they would no longer be made fuell to that fire wherein these Salamanders live; nor any longer feed these Horse-leeches,* (the Army, their engaged party and Servants) *with their blood and marrow.* It now appears who desire a new War; namely, those Zealots, who supply their indigent fortunes by War. These men fear peace, doubting they

shall

shall be forced to disgorge what they have swallowed in time of war: *Ven, Miles Corbet, Hill* the petty Lawyer of Haberdashers-hall, the two *Ashes*, Col. *Harvey*, and many other thriving Saints, opposed a *Personall Treaty*; so their Petition had no successe. I hear that (not many daies after) the Committee of *Derby-house* (to take off this affront) imployed Col. *Rainsborough* (the *quondam Neptune* of our Seas) to go up and down and solicite the common sort of Marriners to *subscribe*, and present the House of Commons with a counter-Petition, wherein *they offered to live and die with the Parliament, &c.* and that *Rainsborough* gave 12d. apiece to as many as subscribed it. This Petition was delivered.

The 2 of *July*, and after that (upon occasion of the City Petition *for a Personall Treaty in* LONDON) upon the 5 *July*, the House of Commons againe tooke into debate a *Personall Treaty*. They spent much time upon the place, where? 98 The City tions for sonall Tr

1. *Whether in the* Isle of Wight? which the Independents principally affected.

2. *Holdenby*? which they next inclined unto.

3. *Or any of His Houses not neerer then* 10 *miles of* London: *at His own choice?*

4. *Or in the City of* London?

Which two last places the Presbyterians approved of, but chiefly *London*: for *London*, it was argued, *That the Common Councell and Officers of the Souldiery would undertake for His Safety against all Tumults. In any other place He would be within the power of the Army; who might probably take Him away again (as they did at* Holdenby) *if they liked not the manner and matter of the Treaty.* London *was a place of most Honour, Safety, and Freedome; and would best satisfie the* KING, *the* Scots, *the people: In all other places (especially the* Isle of Wight) *He would be still a Prisoner to the Army; and therefore all He should agree to, would be void by reason of* Dures. Sergeant *Wylde* Answered, *That* Custodia *did not alwaies in Law signifie* Imprisonment. *Though He was under Restraint of the Army He was not in Prison*; making a wyld kind of (nonsence) difference between *Restraint* and *Legall Imprisonment*, (which all but himself laughed at) *The King cannot plead* Dures; *no man can Imprison or hurt the King in His politique capacity as King: though in His naturall capacity, as man, he is as*

passive as other men. To which was replied, *That it had been frequently said in the House, the* KING *was a Prisoner. That there was no difference in Law between a Restraint, and an Imprisonment; whether legall, or illegall. A tortious Restraint is called in Law, a* false Imprisonment. *That former Kings have avoided their owne Acts by pleading* Restraint (*or Imprisonment*) *and* Constraint, *as* R. 2. H. 3. *That the King may as well plead* Imprisonment, *as the Parliament plead a* Force: which they have lately done. That the King's Restraint in law is *Arcta custodia*; God grant it be *salva custodia:* we have lately had Information to the contrary. The distinction between the Kings *naturall* and *politique capacity* was Treason in the *Spencers*, and so declared by 2 Acts of Parl. in the time of *Edw.* 2. and *Edw.* 3. See *Calvins* Case in my L. *Coke*, they are inseparable by the Law. *Tho: Scott* argued, *that the City was as obnoxious to the King's anger as any part of the Kingdome: and if the Treaty should be in* London, *who shall secure us? That the City will not make their peace with the inraged King by delivering up our Heads to Him for a sacrifice, as the men of* Samaria *did the heads of the* 70 *Sons of* Ahab. It was farther moved, *That if the King came not to* London, *but to one of His Houses about* 10 *miles from* London, *That He might be desired to give His Royall Word to reside there untill the conclusion of the Treaty.* Col. *Harvy* slighted this motion, vilifying the Kings Royall word, and saying, *There was no trust in Princes:* he alleaged, *the King's promises had been frequently broken; as when he protested, the Safety and Priviledges of Parliament should be as pretious to Him as the Safety of his Wife and Children, and within three or foure daies after came with armed Guards to force the House,* and other instances which have been too often remembred, and shall be here omitted.

At last they fell upon a Report, that the Committee of Lords & Commons had voted, *They would not insist upon the 3 Votes preparatory to a Treaty,* viz. *Presbytery, the Militia, and recalling all Declar': Proclam': &c.* This was long argued to and fro. At last it was Voted, *That the King be desired to assent to the said 3 preparatory Propositions, and signe them with His Hand, to be passed as Acts of Parliament when the King shall come to* Westminster.

99. ord *Say's* rse about onall y.

My Lord of *Warwicke* had moved in the Lords House about this time *for a Personall Treaty,* and was seconded by the Earl of *Northumberland;*

Northumberland; but my Lord *Say* opposed it, and prevailed against it: afterwards my Lord *Say* in his way home visited the Duke of *Richmond*, and amongst other discourse, told the Duke, *He was sorry to find so great an indisposition to peace*, saying, *he had moved for a Personall Treaty, but could not prevaile*: this was done upon hopes the Duke would have writ so much to the Queen or Prince. But the Earle of *Holland* comming that day to see the Duke, and the Duke relating to the Earle what the Lord *Say* had told him; the Earle of *Holland* discovered the truth to him, and so spoiled the designe: you see the Devill doth not alwaies own the endeavours of his servants.

The said 5 *July*, The Speaker as soon as he sate in his Chair, alarmed the House of Commons with the news of the Duke of *Buckingham's*, and Earle of *Holland's* drawing into a hostile posture; relating *they were* 2000. *that they intended to take* Lambeth-house, *that the Bullets would presently be about their ears if they did not rise*: which put the Zealots into such a rout, that they presently cried, *Adjourne, adjourne, untill Munday*: and had hardly so much patience as to hear any reasons to the contrary; but this was but a counterfeit feare: The designe hid under it was, to prevent the City from bringing in that day their Petition *for a Personall Treaty*, and to leave the whole power of the House, during the Adjournment, to the Committee of *Derby house*, to raise what Horse and Foot they pleased, under colour of suppressing this Insurrection.

100. The Newe the D. of B taking Arr

For when they found they could not prevaile to Adjourne, they moved for power to be given to Major Generall *Skippon* to raise Horse, whether to possesse the Avenues and passages from the City to the Earl of *Holland's* Army, or to keep the City under the terror of a Horse Guard, is doubtfull.

101. *Skippon* au rized to ra 1000. Hor

And the same day Master *Swynsen* reported from the Committee of Safety, *That they offered to the consideration of that House, that it was fit the Houses should have a Horse Guard, and that every Member should underwrite how many Horse he will pay for* 10 *daies*.

102. A Report f *Derby house* That the M bers should derwrite fo maintaihin of Horse.

This is refused by some Gentlemen upon these grounds:

1. *It bears the aspect of an Imposition or Tax set upon the House by their Committee.*

2. *The Members have not suffered alike; and therefore cannot*

doe alike, some have lost much and got nothing; others have got much and lost nothing: and it is not equall that Losers should bear equall burdens with Getters, and contribute out of their Lasses to maintaine other mens Gaines, and preserve them in their rich Offices, and Bishops Lands purchased for little or nothing. Gentlemen are made Beggers, and Beggers Gentlemen.

3. *It is a dividing motion: tending to lay an imputation of Malignancy and dis-affection upon those that cannot, as well as those that will not, subscribe; and so gives a great advantage to the Gayners over the Losers*; which the Losers have no reason to submit to.

4. *A Personall Treaty being now in debate: this motion makes many Members forbeare the House, who cannot grant, and dare not deny: It carries with it therefore something of designe and terror, and so takes away the Liberty of Parliament, which when so weighty a businesse is handling ought to be.*

5. *If this Horse Guard be raised, how shall we assure our selves they shall be Disbanded after 10 daies, being once under Command?* It is therefore a subtile, malitious, tyrannous act, for the Committee of Safety to put so tempting a motion upon the House, and give men cause to suspect that something of Designe and Danger lies hid under it.

03. device of ged Letter

About this time, a Letter without any Name subscribed, was left at Major Generall *Browne's* house, in his absence: consisting of two parts:

1. *A Preamble, of great respect and love borne to him by the Epistoler for his faire carriage to the King, and good affection to peace and reconcilement with the King.*

2. *An Admonition, to look to himself, and moderate his actions; the Army looking upon him as their onely Enemy and Opponent in the City, lest they should seize upon him and carry him away, or doe him some other mischief.* This is conceived to be an Independent Mouse-trap set up to catch a Presbyterian in; for if the Major Generall had not discovered the said Letter, and it had been found about him, or in his house; or if it had been testified that such a Letter was left at his house and concealed: here had been matter enough for an Impeachment against him.

04. respon- y with y. *Mazerini.*

The Grandees of *Derby-house* and the Army solicite the detaining of the PRINCE in *France*, and the delaying of his journey

journey for *England*, lest he trouble the yet unsetled kingdome of the Saints. To negotiate which, they have an Agent lying lieger with Cardinall *Mazerini* (the great French Instrument of State) who is so well supplied with Money and so open-handed, That it hath been heard from *Mazerini's* own mouth, *That all the Money the* QUEEN *and* PRINCE *hath cost the Crown of* France, *hath come out of the Parliaments Purse with a good advantage.* It is likewise said, *Mazerini hath an Agent here, to drive on the Interests of* France *in* England.

The Grandees (in reference to the pulling down of Monarchy, and the establishing their Olygarchy or Tyranny (contrary to their Remonstrances, Declarations, the Nationall Covenant, and their late Vote; *That they would not alter the auntient forme of Government by King, Lords and Commons*) have caused the Book written by *Parsons* the Jesuit, 1524. (under the feined Name of *Dolemen*) and called [*A Conference about the Succession of the Crown* to be published, under the Title of [*Severall Speeches delivered at a Conference, concerning the power of Parliaments, to proceed against their Kings for Mis-government.*] *Parsons* had made this Book a *Dialogue*, these men have made it into *Speeches*. The Arguments and Presidents are meerly the same; you see they can joyne Interests with *France*: Doctrine with the Jesuits to carry on their designe, and reduce us to the condition of French Peasants or Slaves, under the kingdome of the Saints. *Dolemen's* Book was condemned by Act of Parliament, 35 *Eliz.* But what care the Grandees for Acts of Parliament, having fooled the people into a belief, That both the *Legislative* and *Judicative* power is in the two Houses of Parliament without the King, and that an *over-powring party or Junto in the two Houses* (complying with an Army to keep the rest under force and awe) *is the Parliament.*

105. *Dolman's* A monarchica Book print

See the Co clusions, 15 16, 17.

The Parliament consisteth of 3 *Estates*:

1. The *King*: whom the Law calleth, *Principium, Caput & finis Parliamenti*: and therefore He onely can *Call*, He onely can *Dissolve* a Parliament; and is Himself called and chosen by none, being *Primum mobile*, that animates all.

2. The *Lords*: who have their creation and vocation onely from the Kings bounty.

106. The Legis tive, Iudica power, and Militia, wh they reside. See the Co clusions, 15 16, 17.

3. The

3. The *Commons*: who have their *summons* onely from the Kings Writ, though their *election* from the people: and in that respect only (the people being too diffused a Body to be Assembled) they have something of *Representation* in them; being the Epitome of the people. These 3 *Estates* concurring, have power to *make new Lawes*. To *change or repeale old Lawes*: and in some *doubtfull cases, rarely hapning* (which the Judges dare not venture upon) they have power to *interpret the Lawes*. This is a wise and politique constitution, for *if any one, or any two of the said three Estates* should make new Lawes, change, Repeal or Interpret old Laws, arbitrarily and at pleasure, *without mutuall agreement of all the three Estates*, it were in the power of *that one or two to enslave the other Estate or Estates so omitted*. Besides, the Law doth not favour the making of new Laws, nor the changing and repealing of old Laws, being an innovation that stirs too many humours in a Body politique, and indangers its health, and brings contempt upon the Laws: *Leges priusquam latæ sunt perpendendæ, quando latæ, sunt obediendæ*, saith *Arist. Pol.* But *though all 3 Estates must assent to the making, altering, or repealing a Law, yet any one of the 3 Estates hath a Negative Voice*, and may dissent from such making, altering, or repealing, to avoid innovation, as abovesaid. How then can the two Houses of Parliament exercise the Legislative power, and make, change, or repeal any Law by Ordinance without the King, (the first Estate and Head of the Parliament) and so deprive Him of His Negative Voice, and the people of their Laws, Liberties, and Estates, contrary to the 9 *H.* 3. *Magna Charta*. 1 *part Instit. sect.* 234. *in fine*. 7 *H.*7. 14. especially when this very Parliament declares in the *Exact Coll.* 1 *part, p.*727. *That the King hath a Negative Voice, and that Bils are not Lawes* (or Acts of Parliament) *without the Kings assent* (consequently nor Ordinances.) And as the two Houses take upon them the *Legislative power* without the King; so in the case of the 4 Aldermen and Sir *John Maynard*, they usurped a *Judicative power* in case of Treason triable in the Kings Bench: yet it is most certaine, that when the 3 *Estates in Parliament have passed any Act, their power determines as to that Act, and then the Authority of the Judges begins*, which is Judicative: whose office is (upon cases brought before them) to determine *whether that Act be binding or no?* (for

5. 4 H.7.
12 H.7.
1 Ia.c.1.
c.1.

Acts

Acts of Parliament *against common right, Repugnant, or Impossible,* are void, (*Coke* 8. *f.* 118. Dr and Student, *l.* 1. *c.* 6.) *and to expound the meaning and signification of the words of such Act.* If therefore the two Houses usurp the *Legislative* and *Judicative* power, or the *Militia,* otherwise then hath been by the fundamentall constitution of this Monarchy, and the practice of all ages accustomed; the Grandees of the two Houses and Army seem to lay claim to them all by the Sword; for in the late Declaration against the Scots Papers, *p.* 64. they say, *That they engaged in this War upon these principles,* viz. *To have the Legislative power, and the exercise of the Militia, without, and against the* KING's *consent*; and *p.* 63. *ibidem,* the Members tell us, *That in all matters concerning Church, or State, we have no Judge upon earth, but themselves.* It followes then, the Grandees doe it to subvert the auntient Government, Lawes, and Liberties of this Nation; and establish a Military Olygarchy, or the kingdome of the Saints over us in themselves. In order to which designe, they have put all things out of order, and turned them upside down; nay, they have Crucified the whole Kingdome with Saint *Peters* Crucifixion, the Head downwards and the Heeles upwards.

When this King went into *Scotland,* He compared the Common-wealth to a Watch, which they had taken in pieces; and advised them to keep every piece and pin safe, and put all in their right places again: but now all the principall pieces are either broken or lost. God grant them to number their howers better hereafter, and to close well with our Master Work-man; for though this Kingdome hath alwaies been *Ruled by King, Lords,* and *Commons*; yet by the KING, *architectonicè*; and by the *other* TWO, *organicè*: the King as the Architect, the Lords and Commons as His Instruments; each in his proper sphere of activity, without interfering: and till this again come in use, look for no peace.

107. The Armi Aspect upo the City; a Personall Treaty.

The Independent Grandees of the Parliament and Army are much offended with the City, and their Adherents, in petitioning for a Personall Treaty with the KING: and give out, *That when they have done with* Colchester, *they will humble the City, and bring it to better obedience*: for which purpose, they have already taken all the *Block-houses* upon the River, East of the City; *Windsor-*

Castle West of the City; and are now fortifying *Gydly hall* neer *Rumford* in *Essex* South from the City; the like they intend at *Hampton-Court*; and to build a Fort upon the *Isle of Dogs*, to keep under the Sea-men: whereby, possessing the principall waies, and Avenues to the City; they shall neither feed, nor Trade, but at the discretion of the Army. In the mean time the Cities desires of a Personall Treaty are delaied and made frustrate by a tedious Conference between a Committee of Parliament, and a Committee of the Common Councell. And Counter-Petitions against a Personall Treaty are sent about by Alderman *Gybs*, *Foukes*, *Estwicke*, *Woollaston*, *Andrews*, *Nye* the Independent Priest, and others, (who hold rich Offices by favour of the Grandees) to be subscribed, even by Apprentice Boyes; whereby it appears, the Independents have no intent to make peace with the King; but to engage in a new Warre, thereby to continue their Army, and our Slavery.

The yearly Income they raise upon the people under colour of this War (besides the Kings Revenue, Sequestrations, and Compositions) amounts to three Millions sterling *per annum*, being six times as much as ever the most greedy and burdensome of our Kings raised: where our Stewards hide these our Talents (publique Debts and Arrears being unpaid) were worth finding out, if any but the Devill could give an Account thereof. But this is an unsoundable Gulfe, here my plumb-line faileth me.

08. The 10 of *July*, Major Generall *Skippon* complained in the House of Commons of a printed Paper, called, [*A motive to all loyall Subjects, to endeavour the preservation of His Majesties Person*] wherein (he pretended) he was falsly and scandalously slandred for speaking some words in the House to divert the Examination of Mr *Osborne's* Charge against *Rolfe*. The House (that is, the Independents) were as diligent to become his Compurgators, and vindicate his credit, by passing and printing 5 Votes for him, as they had formerly been to ruine the KING's Honour by passing a Declaration against Him. This fellow *Skippon* was heretofore Waggoner in the *Low Countries* to Sir *Francis Vere*; after that, came over into *England* a poor forlorne Commander, and obtained of the King His Letters of Commendation to keep a kind of Fencing Schoole in the City *Military yard*, and teach

*. Skippon's plaint.

the

the Citizens the postures of the Pike and Musket, and Train them; where he wore the maske of Religion so handsomly, that he soon insinuated into their favours, and found them very bountifull Patrons to him; there he got his fat belly, and full purse; from the City he became Major Generall to the new modelled Army: and observing some discontents arising between the City and Army, and being willing to keep two strings to his bow; that he might uphold his credit with the City, he voluntarily submitted himself to some affronts purposely and politickly put upon him in the Army; and yet that the Army might understand him to be their creature, he marched with the Army in their Triumph through the City, still carrying himself as a moderate reconciling man, and sweetning the insolencies of the Army by making milde and faire interpretations of their actions; yet still so much magnified the power of the Army, as if he would perswade the City they were beholding to the Army for making no worse use of their strength against them: Thus (as many other moderate, prudentiall men doe) he lay a good while un-discried in the bosome of the City, and there as a Spie and Intelligencer kept Centry for the Army, untill such time as the City petitioning the Commons for *restoring of their own Militia to them again*: the Councel of the Army (to mock them with an uneffectuall *Militia*) by their engaged party in the House, and the Committee of *Derby-house* (of which Caball *Skippon* is one) caused their confiding man *Skippon*, not only to be named of the Committee of the *Militia* (although no Citizen) but to be obtruded upon the City as their *Major Generall, Commander in chief of all their Forces*, without whom nothing is to be acted. This being resented and opposed, as contrary to the Cities Charter and Liberties, *Skippon* found he was discovered, and then (taking advantage of the Earle of *Holland's* going forth into Armes) upon a Report from the Committee of *Derby-house*, the Commons ordered, *That a Party of Horse should be raised and listed under Skippon*: *Skippon* by vertue of this Order granted Commissions to divers schismaticall Apprentices to raise men underhand, and authorized the said Commissioned Apprentices to grant Sub-commissions again to other Apprentices under them for the like purpose: This was pretended to prevent Tumults and Insurrections, but indeed it was to

joyne with the Independent party of the City, and the Army, (when they have done their worke at *Colchester*) in purging the Presbyterians out of the Common Councell and Parliament; in reference whereto, the Army have resolved not to march Northwards against the *Scots*, until they have brought this City to more absolute obedience, or laid it in the dust, according to *Cromwell's* advice: As a preparative to which designe, the prevailing party in the House, *July* 15. (hand over head) Voted, *All such* Scots *as are come into* England *in Hostile manner, without consent of both Houses of Parliament of* England, *Enemies to the State; and all such* English *as doe or shall adhere to, ayde, or assist them, Traytors:* and the day next following, *Weaver* openly in the House affirmed, *That the Scotish designe of D.*Hamilton, *the* Colchester *designe, and that of the Earle of* Holland *were all begun, and carried on in the City of London:* to which *Ven*, the two *Ashes*, *Harvey*, *Scott*, *Miles Corbet*, *Blackston*, Sir *Peter Wentworth*, and others gave applause: loe here a foundation laid for a new Charge against the City when the Army are at leisure to make use of it. This Hypocrite *Skippon* when he hath spoken any thing in the House prejudiciall to the King or City, about a Week after (when the venome he hath spet hath wrought its effect, and is past remedy) usually complaines in the House, *That his words are carried forth of the House, and malitiously and falsly reported in the City to his disgrace and danger*, and repeating in a milder & more qualified way some part of what he had formerly said, appealeth to the House, *Whether that were not the full truth of his words?* when the House having forgotten his former words, no man can, and (for fear of the envy and malice of a powerfull Faction) no man will contradict him; this is his way of Apologyzing and cleering himself. He hath got above 30000l. into his purse, besides 1000l. a yeare land of Inheritance given him by the Parliament. He hath secured his personall estate beyond Sea, and his Wife and Children, and thereby withdrawne all pawnes and pledges of his fidelity both out of the power of the Parliament and City, and is here amongst us but in the nature of a *Souldier of fortune.*

they knew came in Authority Parliament of

109. Hamilton's by voted mies.

Note that upon the said 15 day of *July*, when the debate was *for voting the* Scots *that were come in, Enemies, &c.* The first question was put, *That all such* Scots *as are, or shall come into* England, *in*

in Hostile manner without consent of both Houses of the Parliament of England, *were Enemies, &c.* but upon farther debate, the words *(or shall)* were left out, upon this consideration, *That the Earle of* Argyle *might happily come into* England *with a Party, and fall upon Duke* Hamilton *in the reare to divert him.*

110. D. *Hamilt* Letter an Declaratio brought t the House.

July the 20. the Speaker told the Commons, *That Major Generall* Lambert *had made stay of a Scotish Gentleman, one Mr* Haly-barton *who passed through his Quarters with Letters from* D. Hamilton, *to the two Houses, and the King; That he found about Master* Haly-barton *divers private Letters, for the carrying of which, he had no publique Authority, and therefore* Lambert *made bold to Seale those private Letters in a Packet by themselves with his owne Seale and Master* Haly-bartons: *That* Lambert *had sent up Master* Haly-barton *with one Lieut. Col.* Osborne *a godly Scotish Gent: and another Keeper, in nature of a Prisoner.* This *Osborne* delivered that private Packet to the Speaker: so a Committee was named to peruse that private Packet, and *Osborne* was called in to speak what he knew; who delivered at the Bar, *That the Godly party in* Scotland *were oppressed and trodden under foot by Duke* Hamilton's *party, that their very Soules were afflicted at his proceedings, that the Kirke of* Scotland *with one mouth proclaimed to their faces their Engagement and proceedings thereupon to be damnable and destructive: he desired the House not to looke upon these proceedings as the Act of the Nation of* Scotland, *since there were a great many Godly men who hoped the Lord would enable them in his good time to March into* England *with the Marquesse of* Argyle *and fall into the reare of Duke* Hamilton *with a diversion.* He reported, *the* Scots *that came in to be but* 8000 *Horse and Foot, and* Langdale *but* 2000. Then was read the Letters of Duke *Hamilton,* wherein *He complaineth no Answer had been given to the Parliament of* Scotlands *just desires of the* 26 April *last, That by authority of the Scotish Parliament he was necessitated to come into* England *according to the Covenant, and not without the invitation of divers well affected English who had taken the Covenant.* There was a *Declaration* enclosed in the Letters which the prevailing party obstructed the reading of (yet the Lords having printed it, they have since read it in the House) and presently the question was put, *That all such English as have invited the Scots under Duke* Hamilton *to come in Hostile manner into*

111. L. Col. *Os* a fugitive

England *should be declared Traytors?* and carried in the Affirmative. I formerly told you that about 12 *July*, *Weaver* moved, *That the Prince of* Wales *might be voted a Trayter:* what they could not then carry with a fore-wind, they now brought in again with a side-wind; for who doubts but the Prince invited in the Scots to the relief of his Father and himself oppressed and imprisoned, contrary to the solemn League and Covenant, by a Rebellious Army, and a schismaticall party of both Houses engaged with the said Army: *And that the Scots are come in according to the Covenant only?*

112. Motion in the House of Commons to [illegible] *Rolfe.*

A little before this time *Tho: Scott*, Sir *P. Wentworth*, *Blackston*, C. *Harvy*, *Hill* the Lawyer, & others, pressed the House with much earnestnesse *to Bayle* Rolfe, *committed Prisoner to the* Gate-house *upon the Complaint of Mr* Osborne, *for endeavouring to make away the* KING: using many words in his commendation for *his Godlynesse, and Faithfulnesse*, and complaining of *his hard usage in Prison* where he lay *amongst Rogues*. It was opposed by many, because *High Treason is not Baylable by the Law*, neither *is the House of Commons a Court of Judicature*; and therefore can *neither Imprison, nor Bayle any* but their *owne Members*. At last Mr *Sam: Browne* moved, *That a Committee might examine the businesse for matter of Fact, and report to the House, and then the House (if they saw cause) might Bayle him; and bind over Master* Osborne *to prosecute him next Terme in the* Kings Bench. This motion tooke effect, and great care was taken for the present, that *Rolfe* might have better entertainment in the *Gate-house*, according to his quality; having been not long since a *Shoo-maker*, one of the *Gentlecraft*.

113. The Speakers Warrant to search for the Foot-boy that beat Sir *Henry Mildmay.*

About this time, 2 Files of Musketiers, by warrant from the Speaker of the House of Commons, came in the dead of the night to the houses of Sir *Paul Pyndor*, and Alderman *Langham*, pretending to search for the *Foot-boy* that beat Sir *Hen. Mildmay*. They forced open the dores of Sir *Pauls* house, and searched with great diligence; but could not doe the like at Alderman *Langham's*, who being guilty of having some Money in his house, durst not adventure to obey the Warrant and open his dores: nor had he reason to do it, his House (by the Law) being *his Castle of defence, the priviledge thereof not to be violated but in case of Felony or Treason.*

Treason. Compare the diligent prosecutions in the behalfe of Sir *Harry Mildmay*, with the slack and negligent proceedings in the behalf of the KING, and you will find a new practicall Law, (contrary to the old known established Law) *That a Trespasse against a Grandee* (though but a Subject) *is more then a Treason against a King.*

Out of these Premises, I shall draw these Conclusions following:

Generall Conclusion.

1. THe *engaged Party* have laid the *Axe* to the very *root* of *Monarchy* and *Parliaments*: they have cast all the Mysteries and secrets of Government, both by Kings and Parliaments, before the vulgar (like pearle before swine) and have taught both the Souldiery and people to look so far into them, as to ravell back all Governments, to the first principles of nature: he that shakes Fundamentals, means to take down the Fabrick. Nor have they been carefull to save the materials for posterity. What these negative Statists will set up in the room of these ruined buildings doth not appear; only I will say, *they have made the people thereby so curious and so arrogant, that they will never find humility enough to submit to a civill rule*; their ayme therefore from the beginning was to rule them by the *power of the Sword*, a military Aristocracy or Oligarchy, as now they doe. Amongst the auntient Romans, *Tentare Arcana Imperii*, to profane the mysteries of State, was Treason; because there can be no form of Government without its proper mysteries: which are no longer mysteries then while they are concealed. Ignorance, and Admiration arising from Ignorance, are the parents of civill devotion and obedience, though not of Theologicall.

1. The Grandees have subverted the fundamentall Government of the Kingdome, and why.

2. Nor have these *Grandees* and *their party in the Synod*, dealt more kindly with *the Church*, then with *the Common-wealth*: whose reverend mysteries their Pulpits and holy Sacraments, and all the Functions of the Ministery are by their connivence profaned by the *clouted shoo*; *the basest and lowest of the people making themselves Priests*, and with *a blind distempered zeal Preaching such Doctrine as their private Spirits* (spirits of illusion) *dictate to them.* But let them know, *that their burning zeal without knowledge, is like Hell fire without light.* Yet the greatest wonder of all is, *That they*

2. They have subverted the Church.

they suffer the Lords Supper (that Sacrament of Corroboration) *to be so much neglected in almost all the Churches in the Kingdome: Is it because men usually before they receive our Saviour* (that blessed guest) *sweep the house clean, casting out of their hearts* (those living Temples of the Holy Ghost) *Pride, Ambition, Covetousness, Envy, Hatred, Malice, and all other uncleane Spirits, to make fit room to entertain* Jesus, *that Prince of Peace*, whereby the people having their minds prepared for *Peace, Charity* and *Reconciliation*, may happily spoyle the *trade* of our *Grandees*, who can no longer maintain their usurped dominion over them, then they can keep them dis-united with quarrels and feudes; and uphold those Badges of factions, and tearms of distinction and separation, *Cavaliers, Round-heads, Malignants, Wel-affected, Presbyterians*, and *Independents?* or is it because they fear, if the Church were setled in peace and unity, it would be a means to unite the Common-wealth, as a quiet cheerfull mind often cureth a distempered body? I will not take upon me to judge another mans servant; but many suspect this is done out of designe, not out of peevishnesse.

3. That these *Grandees* govern *by power*, not *by love*; and the *Laws of the Land* (which was my last assertion) appears by,

1. The many Garrisons they keep up, and numerous Army they keep in pay to over-power the whole Kingdome; more then at first the Parliament Voted: all in the hands of Sectaries.

2. Their compelling the Parliament to put the whole *Militia* of *England* and *Ireland* by Land and Sea, into the power of of Sir *Thomas Fairfax* and their party, together with all Garrisons.

3. Nor doe they think the Laws of the Land extensive enough for their purposes; therefore they peece them out with Arbitrary Ordinances, Impeachments before the Lords, and Marshall Law, which is now grown to that height, that the Councell of War, Generall, and Judge Advocate of the Army do usually send forth Injunctions to stay Suits, and release Judgments at Law, or else to attend the Councell of War wheresoever they sit, to shew cause to the contrary: And when Lieutenant Col. *Lylburne* was ordered to be brought to the Kings-Bench-Bar, upon his *habeas Corpus*,

Treason. Compare the diligent prosecutions in the behalfe of Sir *Harry Mildmay*, with the slack and negligent proceedings in the behalf of the KING, and you will find a new practicall Law, (contrary to the old known established Law) *That a Trespasse against a Grandee* (though but a Subject) *is more then a Treason against a King.*

114. Feares and Jealousies arising from severall Informations (as that of *Cropley* and *Hyde*, called, *The Resolutions of the Army*) and diverse other symptomes *of danger*, but especially *Skippon's* secret Listing of Scismatiques in the City amongst the Congregations of Mr *Goodwin*, Mr *Patience*, and others, with power given him to *kill and slay*; his listing Servants against their Masters, and setting up a Power against a Power, had provoked that dull Beast *the City* to know their own strength, to look into their Charter & the Customes of the City, and to Counter-list in their own defence: for which purpose, they passed an Act of Common Councell, dated 27 *July*, 1648. which was soon complained of in the House of Commons by *Ven*, *Harvey*, *Penington*, and other ill Birds of that Corporation who usually defile their own nests, after many aggravations; that after they had fought with the KING for the *Militia*, any power out of the Parliament should presume to exercise it: A Committee was appointed to Treat with a Committee of the Common Councell, *To heare what they could say for themselves, and by what authority they claimed the use of their owne Militia.* The Committees met, and amongst other things the said Question was asked, *By what authority they Listed men?* To which was Answered, *That they did it by the law of Self-defence, Warranted by the law of God, of nature, and of the Land:* and by a farther Authority; to question which, would make little for the advantage of the Parliament: This mysterious Answer stopped the mouthes of the Parliament Committee. If *London* should plead their Charter and usages, other places might do the like; so this businesse was shut up in silence. Note that many Sectaries of *Westminster*, *Southwarke*, and the *Hamlets* have been invited and countenanced to petition the House of Commons *against uniting their Militia's with London upon pretended cavils:* As that they desired to have equall number of Voices in the *Militia*

Feares and Jealousies c the City t sume the p of their o *Militia.*

litia with *London*: But since *London* beareth 7 parts of 9 in the charge, it is an unreasonable demand.

15. Gover- of Dub- zeth and h over ners the yterian nanders.

By Orders (as is thought) from *Derby-house*, Colonel *Jones* Governour of *Dublyn*, hath seized upon most of the Presbyterian Commanders thereabouts, and sent them Prisoners to *Westchester*, as Sir *Maurice Eustace*, Sir *John Gyforde*, Col. *Willoughby*, Colonel *Flower*, Major *Stephens*, Major *Capron*, *&c.* to make room for Independent Officers in his Army, *that the Saints only may possesse the good things of this World*: but chiefly, that his Army being Commanded by Antimonarchicall Schismaticks may the better sympathize and unite with the Antimonarchicall Papists in *Owen Roe Oneale's* Army, against the Lord *Inchiquin*, whereof the said Lord hath given some hint as I have aforesaid. You see the predominant Principle is *Anti-Monarchy*, which easily overswaies *Religion* on both sides.

16. got of the e's taken many rs and missions.

Sir *Miles Livesey* having casually taken a little Frigot of the Princes, called the *Christopher*; manned with one Capt. *Greene*, and 8 men: tooke divers Commissions in her, and a Letter of Mart, granted to the said Captain *to make prize of Rebels and Enemies Goods*; and a Paper of Instructions, prohibiting *Greene to use any Hostility untill the Prince had published his Declaration, and untill it were designed who were His Enemies*: other writings were then taken which were referred to a Committee of the House of Commons to peruse and report. Mr *Lechmore* reported from the said Committee, *That some of those Writings were not fit to be published in the House*, (hereby you see that the House is already divested of that Power & Authority which the People have Trusted onely them with, and all is now usurped by confiding Sectary Committees) so Mr *Lechmore* reported, *That there was an Adjudication out of the Princes Admiralty held in the* Isle of Jersey, *whereby a Ship belonging to one* Tucknell *was adjudged against him, upon this ground given in the Adjudication*; *That* Tucknell *had taken that* damnable Oath, *called* [*The Nationall Covenant.*] I appeale to any man that doth not hastily believe all he heares, Whether it be probable the Prince (in such a conjuncture of time, when the Parliament it self saies, *That the Prince invited the Scots to invade* England, *and had Declared for them*) would hazard the losing of the *Scots* by inserting such a clause in the Adjudi-

Adjudication? All is not Gold that Glisters; these Letters may be St. *Martins* ware, counterfeit stuffe.

About this time (it is reported by some that professe to know it) there was a designe for *Skippon's* new listed men to seize upon Alderman *Langham*, Alderman *Bunce*, and some of the Lords and Members of the House of Commons in the night; whereof notice being given, some of the Members, knowing that Treachery, (like the Basilisk) dies if it be first seen: to shew that it was discovered, caused one of their Party in the House, to move, *That* Skippon *might be ordered not to seize on, kill or slay any Member of either House.*

An Order passed the House of Commons for the Earl of *Warwicke, To fight the Prince at Sea.* It was sent up to the Lords, and passed that House too: whereby it became an Ordinance. Yet some of the Lords entered a Protestation against it, as the Earls of *Lincolne, Suffolke*, Ld *Northe.*

2 of *August*, The Zealots of the House of Commons fell again upon the businesse of *Rolfe*; at an unseasonable hower of the day, and in a thin House. They ordered *a Conference with the Lords about him*, and *That the Lords be desired to joine with the Commons in Bayling of him*: and yet, *for Treason, a man is not Baylable by Law.* I cannot heare that Master *Osborne's* time of *staying with Freedome and Safety to prosecute ROLFE* is renewed by the Commons, although it be expired: you see the iron-bound Saints of the Army are impregnable, even against *High Treason*, if this puny Saint be so inviolable; what hope have Major *Huntington*, and *John Lylborne* to be heard against *Cromwell?*

For if the man such freedome have,
What then must he that keeps the knave?

Yet if *Rolfe* had but bastonadoed Sir *Henry Mildmay* (and that's no great matter) peradventure he had been prosecuted in earnest.

Thursday, 3 *August*, a Letter from the Earle of *Warwicke* was read in the House of Commons, complaining *of the refractorinesse of the Sea-men, and that he could not govern them without a Commission for Martiall Law*: which was readily assented to; as any thing that cries up Arbitrary power above the known Lawes usually is. But how this will agree with the discipline of the Sea,

117 A design[illegible] seize on [illegible] Presbyte[illegible] Alderme[illegible] Lords an[illegible] Commo[illegible]

118 An Ordi[illegible] for the E. *Warwick*[illegible] fight the [illegible] at Sea.

119 More en[illegible] vours of [illegible] Independ[illegible] in favour [illegible] *Rolfe.*

120 A Letter [illegible] the E. of [illegible] *wicke* for [illegible] tiall Law [illegible] Sea.

and how they will fight being so yoaked, I know not.

121. Letter from Parliament to Assem- of the Kirk Scotland.

The same day a Letter passed the House of Commons, directed to the Assembly of the Kirke of *Scotland*; setting forth what the Parl: had done in way of setling peace. Reforming the Church and Universities, and maintaining the Covenant and union between the two Nations, and complaining of Duke *Hamilton's* Invading *England* under the authority of the Parliament of *Scotland*, to the Kirke there. How dangerous this president may prove to both Kingdomes, to make a few ambitious, pædanticall Church-men, supreme Judges over Parliament and State affaires, *in ordine ad Deum*; and how apt they are to lay hold upon such occasions, and kindle their zeal into a consuming flame, I leave to all wise men to judge.

122. Declaration Letters the ce, to the The mons de- upon

Thursday, 3 *August*: The Sheriffs of *London* and some of the Common Councell brought to the House the Copies of two Letters they had received from the PRINCE; one directed to the Common Councell, *expressing his Highnesse good affection to Peace, and to the whole City; and his endeavours to vindicate his Fathers Liberty and just Prerogative and Rights, to restore to the people their Laws, Liberties, and Property, to free them from that Yoaque under which they were now held like a Conquered Nation, to ease them of Excise and Taxes, to settle Religion according to his Fathers Agreement made with the* Scots, *and to reduce all things into their antient and proper Channell.* This Letter was accompanied with his Declaration to the same purpose. The other was to the Merchant Adventurers, *Informing them he had made stay of 3 of their Ships, but without any intent to make prize of them, desiring to borrow* 20000l. *of them, to be repayed out of the Customes, and requiring their speedy Answer.* To which, Col. *Harvey* (first aggravating many faults in the King's Government, according to the scandalous Declaration against Him) said, *The Prince was his Fathers own Son, as like Him as could be. That he had invited the* Scots *to come in, and declared for them; and had been formerly in Armes against the Parliament: That he was but a Subject.* And moved the House to declare him a *Rebell and a Traytor.* Sir *Peter Wentworth*, Mr *Knightly*, and Mr *Blackston* seconded him with much earnestnesse; so did *Edward Ashe*, who farther moved, *That the Common Councell and Merchants should give no Answer to his Letters,*

ters, saying, *there was no danger the Prince should make prize of their Ships, for that he had engaged to the States of the* Low Countries *to doe no Act prejudiciall to Trade*: At last the Debate was put off untill the next day, being Friday: when the Speaker putting the House in mind of it again; It was earnestly called upon by the younger Sir *John Evelin* (Mr Solicitors shadow) *Scott*, *Weaver*, *Holland*, *Boys*, and almost all the Godly Gang. So the Debate was resumed: and *Weaver* went very high to trie the temper of the House. But the Debate *in Terminis*, That *the Prince should be Declared a Rebell and a Traytor* was soon laid by (though violently pressed) chiefly upon these reasons:

1. That they had not the Originals of the Prince's Letter and Declaration, (which the Common Councell still kept) but onely Copies not so much as attested upon Oath by any authenticall Clerke, therefore no Legall proceedings could be upon them.

2. To Vote the Prince a Traytor the same day when they sent Messengers to invite the KING his Father to a Treaty of Peace, would argue no peaceable inclination in them, and would be so understood by the people.

3. They were engaged by the Nationall Covenant to defend the KING's Person, Crowne and Dignity; but the Prince, Heire apparent to His Crowne; was (next under God) the chief supporter of his Crown and Dignity, therefore to Vote him a Traytor was to subvert his Crown and Dignity.

4. By the *Stat.* 25 *Edw.* 3. it is *High Treason to endeavour the destruction of the Prince, the Kings eldest Son*; but to declare him a Rebell and a Traytor, was to endevour to destroy him: and therefore High Treason.

5. The people were already jealous that the KING and His Posterity should be laid by; and in them the Monarchicall Government of this Nation subverted, and a new form of Government introduced; they had already by the Votes of *no Addresses to the* KING, and by their Declaration against Him (wherein they say, *They can no longer confide in Him*) laid by the KING; and now to Vote the PRINCE a Rebell and a Traytor, was to lay by both him, and his Brother the DUKE of *Yorke* who adheres to him, which would exceedingly confirm the people in

that adhere
e Prince
red Tray-

their feares. But what they could not doe expresly they did implicitly; by Voting, *All that should adhere to, aide, or assist the* PRINCE, *Rebels and Traytors*: Hereby they put a tie upon the City not to redeem their Ships by lending 200001. to the Prince; & yet had a Pirate taken them, it had bin lawful to redeem them.

123.
Nationall
enant.

Saterday, 5 *August*. The House of Commons went upon the Commissioners to judge of Scandals; there was a clause in the Ordinance, *forbidding the nominating of such as refused the Nationall Covenant*: which was strongly opposed by the Independents, who argued, *That the Nationall Covenant was but a League sworn mutually by the two Nations*; *that the* Scots *by Invading* England *had first broke it, and thereby set the* English *at liberty from it, That the Covenant was not* Jure divino, *no more then Presbytery was*. To which was Answered, *That the large Treaty contained the League between the two Nations*; so did not the Covenant, which was *a Vow made unto God with our hands lifted up to Heaven, for the maintenance and observation of the ends and principles expressed in the Covenant, from which no power on Earth could absolve*. That though the Covenant was not *Jure divino*, yet the keeping of it after we have taken it is *Jure divino*, it being the revealed will of God, *that we should not offer unto him the sacrifice of fools*; a Covenant to day, and break it to morrow.

124.
ew *Militia*
ted in eve-
County, in
hands of
aries.

Monday, 7 *August*. A particular Ordinance *to put the County of* Wilts *into a posture of defence* was read, many that were named to be Deputy Lieutenants, or Commissioners, were meane petty fellows, as one *Read* a Serving-man, and others, such as refuse to Act upon the Ordinances *for setling Church Government*, and declare *that our Ministery is Antichristian*; and are new dipped Brethren that have been re-baptized. *These to have power to raise what men, and put Armes into what hands they list: to fine* 10l. *and inflict twenty dayes Imprisonment for every default, and to levy* 400l. *a Week upon that poor County over and above the Taxes to* Fairfax's *Army, and* Ireland, *and Free-quarter*. The generall Ordinance to trust the Counties with their owne defence, is obstructed to give way to these particular Ordinances, That all the Armes and Garrisons of the Kingdome may be put into the hands of Antimonarchicall Sectaries, And a *Militia* of Godly Cut-throats established in every County towards the putting downe of Monarchy,

chy, and the erecting of the many-headed Tyranny of the Saints of *Derby-house* and the Army. This Ordinance was Committed.

Tuesday, 8 *August*. *Thomas Scott* made report in the House of Commons of the private Letters brought out of *Scotland* by Master *Haly-barton*, (whereof I have formerly given you notice) this Gentleman being a publique Messenger from the Kingdome of *Scotland* (and not from Duke *Hamilton* or his Army, whom only the House of Commons have declared Enemies, without the concurrence of the Lords) hath leave given him by the Lords to stay a Month in *England*; yet the Commons have since Voted he shall be gone in twenty four howers, or else he shall be sent home in Custody. These Letters are most of them written in Characters; yet this wel-gifted Brother *Scott*, hath found out a New Light to Decipher them by; and can tell by Inspiration, or by Priviledge of Parliament, what Cypher or Character must signifie such a Letter of the Alphabet, or such a mans name. This engine added to the schismaticall High Commission or Committee of Clandestine Examinations, is better then any spring or trap to catch any active Presbyterian that lies crosse to the designe of the Godly. 125. Letters unc racterized, new inven net to cat Presbyteria in.

They may suppose any mans name to lie hid under such or such Characters or Cyphers, and so accuse him by vertue of this mysterious Art of aiding or complying with the Scots or the Prince, and pin whatsoever the faction pleaseth to call Treason upon his sleeve; these are the Arts of the Godly to make Innocency it self seem nocent; and remove out of the way such as hinder the erecting of the Kingdome of the Saints.

These Letters so decyphered, were afterwards at a Conference reported to the Lords.

Wednesday, 9 *August*. The Answer to the City Petition (the day before delivered to the House of Commons) was reported to the House. It was an Answer to some of the Prayers of that Petition only: but gave no Answer to their desires, for the *Disbanding of all Armies to ease the People of their Burdens. The restoring of the peoples Lawes and Liberties. The enjoyning all Members to attend the House*; nor *to the effectuall observation of the self-denying Ordinance*. This last is a *noli me tangere*; if all Members should be enjoyned to be *self-denying men*, there would be few *Godly men* 126 The City tition, An red.

left

left in the House: How should the Saints possesse the good things of this world? yet (after some debate, and divers expressions used by *Weaver* and *Harvey*, That *it appeared by the Petition that the City would desert the Parliament*) they gave an Answer to their desires concerning *the union to be kept with* Scotland, *and a Cessation of all Acts of Hostility during the Treaty of Peace*; That *they had Voted the Army under Duke* Hamilton *Enemies*, and declared, *they would act accordingly against them, to which they would adhere.*

127. Com- is debate ike away ords Ne- e Voice, act with- hem.

Master *Hungerford* argued, that because the Lords had denied to concur in the said Vote, he conceived their House could make no such Declaration, nor act therein without them. This put the Zealots into a flame, that any Member should argue against the Priviledges of their House, so far as to deny them to be Almighty singly, and *per se*; *Reynolds* the Lawyer positively affirming, *That the House of Commons (being the Representative of all the people) had power to Act without the Lords for Safety of the People, in case the Lords deserted their Trust*: you see in this doctrine (as it hath been already, and is likely to be practised hereafter) a ground layed to subvert the foundation of all Parliaments for ever, and to bring all degrees of men to a parity or levell. For the Parliament (by all the known Lawes of the Land) consisting of 3. Estates,

1. *King.*
2. *Lords.* And
3. *Commons.*

Two of the Estates (*viz.* the Lords and Commons) have already laid by the KING, and His Negative Voice; and now the Commons debate of laying by the Lords and their Negative Voice, because (in their judgment) they desert their Trust. And so the Commons alone shall act as a Parliament without KING or Lords, until falling into contempt & hatred of the people (which will soon happen) the Grandees of *Derby-house* and the Army shall take advantage to lay the House of Commons by, and usurp the *Kings supreme Governing power*, The *Parliaments Legislative power*; yea, and *the Judges Judicative power to themselves*; and establish the *many-headed Kingdome, Tyranny or Olygarchy of the Saints* (so much contended for) in themselves. *O populum in servitutem*

cinerem pharetram! as *Tyberius* said of the Romans. This is the Tayle of the Viper, here lies his venome.

Saterday, 12. *August*: a Message was sent to the Commons from the House of Lords in the behalf of Commissary Generall *Copley*, who had bought and had a grant of the Wardship of the Heire of Sir *William Hansby*, for which he paid Fine and Rent, and was outed of it by a Sequestration laid upon *Hansby's* Estate after his death; he having been never questioned for Delinquency during his life time: and this was malitiously done about the time when Master *Copley* was Imprisoned by the power of the Independent Faction, (whereof I have already said something) Master *Copley* desired the Sequestration might be taken off, and he permitted to enjoy his Contract made with the Court of Wards; alleaging, that to Sequester or condemn a man after his death, when he could not answer for himself was against the Laws of the Land, even in the highest crimes of Felony and Treason: and produced a President, *That the Committee of Lords and Commons for Sequestrations had taken off a Sequestration from the Lands of* Andrew Wall, for no other reason but because *Andrew Wall was Sequestred after his Death.* The case was diversly argued; it was alleaged, *that in cases of the highest Treasons no man was condemned after death, because he was not then in being to answer for himself, there could be no proceeding in Law against a non ens.* In Felony *if a man will stand mute, he forfeits not his Lands because there wants an answer*, and yet it was his own fault not to answer. The Parliament is bound by all their Declarations made both to KING and People, and by the Nationall Covenant which containes all the first and just principles of the Parliament *to defend the Lawes and Liberties of the Land*, and not to subvert them. Take heed of giving so dangerous a President for Kings to act by hereafter against the people, and against this Parliament and their friends; since no man yet knows which way the tide may turne. But the Independent faction (whose interest it is to keep themselves *rich*, and all men else *poor*) argued the case meerly upon point of profit and conveniency, and neglected the right and *jus* of the businesse. They alleaged, *that men of desperate resolutions, would not regard the losse of their owne lives, so as they might preserve their Wives and Children. That the State* (as they pleased

128. Dead men questred, a the sanctu of the Grav violated.

to stile it) *would lose much by such an example, they could not therefore approve of the lenity of the Lords and Commons used in* Walls *case; many had been Sequestred after Death:* and so arguing *à facto ad jus,* alleaged, *that in case of Monopolies, satisfaction had been awarded out of dead mens Estates.* But they forgot that out of Sequestrations no satisfaction is given to the parties wronged; the Committees and Sequestrators imbezelling the profits of them to encrease their owne gaines, not bestowing them to repair injured mens losses, & so the equity upon which this President is founde[d], faileth in case of Sequestrations. Thus you see these greedy Canniball Saints (like the hungry Dogs that eate *Jesabell*) will devoure carrion or any thing that will make them fat and full: yet they declared, *They were willing this Sequestration should be bestowed upon Master* Copley *as a Gratuity, not as a Right for fear of the example.* Observe, that if Master *Copley* had waived his Title by Composition, and accepted this Wardship as a Gift, they would presently have published it in their *Newes Bookes*, and *Gilbert Mabbot* should have proclaimed it to all the world, that Presbyterians and Independents might be thought alike guilty of impoverishing the Kingdome: for this Faction labours nothing more then to have many Companions in their sins and shames. At last it was passed, *That Mr* Copley *should have the Wardship restored to him,* but great care taken it should not be drawn into example hereafter; That a man may not be Sequestred for Delinquency after his Death, *Cavete vobis mortui atq; sepulti,* dead mens Graves are not secure from these *Lycanthropi*, these *Lougarons*.

129. Monday, 14 *August*: Master *Bulkeley* in the name of himself and his fellow-Commissioner Sir *J. Hippesly* (sent to the KING to acquaint Him with the Vote of the two Houses, *That they desired a Treaty with the* KING *upon the Propositions of* Hampton-Court *in what place of the Island of* Wight *He should think fit, and that the Treaty should be with Honour, Freedome, and Safety to His Majesty*) Reported to the House of Commons all the circumstances and emergencies of their employment, (the KING's Letter of Answer being carried to the Lords by the Earl of *Middlesex*, and therefore not delivered to the Commons for the present) which with much candor were related as followeth, *That the KING bade them welcome, saying, they come about* [illegible] *come*

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some business (PEACE) which no man desired with more earnestnesse then Himself; and if there did not ensue a Peace, the fault should not lie at His dore; and that He feared no obstructions from any but those who gained by the Warre. He farther said, that His Majesty desired (immediately after the delivery of the Votes) to speake a word to them in private, which they modestly excused for want of Commission. That about two daies after His Majesty seeing the said Commissioners of Parliament standing in the presence Chamber, first beckoned the Earle of *Middlesex* to him, and had some short discourse singly with Him, and then with Sir *John Hippesly* and Master *Bulkeley* one after another. These three Gentlemen afterwards comparing their notes, found the KING's discourse to every of them to be all to one effect, *viz.* expressing His desires of a good peace: and importuning them to doe all good offices conducing thereto. He further related that when they tooke leave of His Majesty, He delivered His Answer in writing to them unsealed; telling them, He doubted not their fidelity, though ill use had been made of his last Answer which He sent open; it having been debated in private, and a prejudice put upon it, before it was presented to the Houses. This free and unpartiall Report shewing how earnest His Majesty is for Peace, did the KING so much Right, that the Antimonarchicall faction looked upon it as done to their wrong: and *Herbert Morley* presently spit out his venome to this purpose, Mr *Speaker*, these Gentlemen have delivered all to you but what they should deliver, that is, the KING's Answer, which they have suffered first to be carried to the Lords; they might have delivered you at least a Copy thereof (it should seem *Morley* had forgot that the House proceeds not upon Copies) my motion is, that since these Gentlemen have exceeded their Commission by conferring privately with the King: The House may doe well either to question them therefore, or give them an Act of Oblivion for their good service: This was cried upon a long time by the whole kennell of the Faction, and at last put off to the next day, when the Lords sending down the Kings Letter, the House should have the whole businesse before them.

130. The aforesaid Messengers again.

The next day being Tuesday, 15 *August*: the King's aforesaid Letter of Answer with diverse Votes thereupon were sent downe from the Lords to the House of Commons, when presently the

Beagles of the faction spent their mouths freely against the said Commissioners again for lending the KING the civility of an eare in private, as aboveſaid. After a long debate, at laſt this Objection ſtopped the mouths of malice itſelf, *That if theſe Gentlemen had reported an averſneſſe in the King to Peace (and aggravated His words as other Meſſengers had formerly done, whereof the King ſeemed to complain) it would have proved a welcome diſcovery, and have been rewarded with Thanks inſtead of an Act of Oblivion.* So with much adoe, *Thanks were given to the ſaid Gentlemen, with approbation of their proceedings.*

131. *Militia* of *don*: Conding private ing by *pon*, and *Militia* of City.

The ſame day the *Militia of London* were called into the Houſe of Commons, where Alderman *Gybs* in the name of the Common Councell and Militia (not by Petition, but in a ſet Speech) delivered the Feares and Jealouſies of the City (even of the graveſt, wiſeſt, and beſt affected) occaſioned by *Skippon's* underhand Liſting of Schiſmaticks, antimonarchiſts; his ſetting up thereby a power againſt a power to the endangering of a Civill War within the Bowels of the City, weakning of the Trained Bands, deboſhing Servants from their Maſters, Children from their Parents. That under colour of *Skippon's* private Liſtings, other private Liſtings were carried on by Malignants; the Magiſtrates of the City not being able to queſtion either, and diſtinguiſh one from the other. That feare was a violent paſſion, and was now grown ſo univerſall, that the Common Councell knew not how to give ſatisfaction therein; the Citizens uſually clamouring, *that if the Houſes did not give them leave to look to their Safety, they muſt have recourſe to the Law of Nature, and Act in their Militia without the Houſes in order to Self-defence allowable by all Lawes*; and *practiſed by this very Parliament againſt the King, and by* Fairfax's *Army againſt this Parliament.*

The prayers of his Speech were three:

1. That *Skippon's* Liſted men might be under the Militia of the City.

2. That the expired Ordinance for Liſting Forces might be revived.

3. That the Militias of *Weſtminſter*, *Southwarke*, and the *Hamlets* might be united with the City as formerly.

To this clauſe of having *recourſe to the Law of Nature for Self-defence*,

defence, great exceptions were taken in the debate of the House by the two *Ashes*, *Ven*, *Harvey*, *Scott*, *Weaver*, and other of the Godly pack. *That the Parliament having fought with the King for the Militia, and having got it by the Sword, any other Interest upon any title whatsoever should dare to lay claime to any part of it.* You see these Lyons of the Tribe will allow no Beasts of different kind to share with them in their prey, although they did sweat and bleed with them in the hunting and catching of it. The Grandees may as well say *they have conquered our Lawes and Liberties*; for (as I have in my *General Conclusions* cited) they say, *That they fought with the King for His Negative Voice, and Legislative Power, and that God hath by the verdict of the Sword given judgment for them*; and yet when the King claimed them by a better and more legall Title then the Sword, they could object the equity of the Lawes against the killing letter of them, which they say, directs still to the equitable sense of all Lawes, as dispencing with the very letter thereof, as being supreme to it when safety and preservation is concerned, and alleaging, *That all Authority is seated fundamentally in the Office, and but ministerially in the persons; and thus it is no resisting of Magistracy to side with the just principles of Nature.* See the Declaration and Papers of the Army, p. 39, 40. and the Exact Collect. p. 150. *& alibi passim.* In conclusion, after a tedious debate, the desires of the Citizens were referred to a Committee of the House to be wyer-drawne into an Ordinance, *That all Forces raised, and to be raised in the City of* London *and the Liberties thereof, should be subject to the Militia of* London (whereof *Skippon* is a Member) *and under the Command of Major Generall* Skippon. When this Ordinance will be perfected, what the sence and meaning of this Riddle is, and what dangers may befall the City if *Colchester* be taken, or the Scots beaten before they have leave to put themselves into a posture of defence, God knowes. It was farther referred to bring in an Ordinance for uniting the aforesaid *Militias*. You see how jealous they are of late of the *Militia*, since the Grandees entertained new Principles and new designes. In the Propositions presented to the King at *Newcastle*, the Proposition for the *Militia* hath this *proviso*, provided *that the City of* London *shall have and enjoy all their Rights, Liberties, Franchises, and Customes, and Usa-*

ges in raising and imploying the Forces of that City for the defence thereof, in as full and ample manner to all intents and purposes, as they have or might have used or enjoyed the same at any time before the making of this Act or Proposition: to the end that City may be fully assured, it is not the intention of the Parl: to take from them any Privileges or Immunities in raising or disposing of their Forces, which they have, or might have used or enjoyed heretofore. This is a clear confession, that by the antient Customs & Usages of the City, they have Right to their own *Militia*, or else this *proviso* were vaine; howsoever the learned Councell of the City fool them. The like *proviso* word for word, is contained in the Proposition for the *Militia* of *Hampton Court*, saving that the last clause, *That the City may be assured the Parliament hath no intention to take from them any Priviledges, &c.* is omitted. I think to please the Army and their engaged party. See the Letters, Papers, Transactions of the English Commissioners in *Scotland* with the Scots, &c. p. 58.

132. Lords es upon Kings Let- debated in House of mons.

Wednesday, 16 *August*: the King's said Letter was read, and the Lords Votes thereupon: first, (after some little opposition) the Commons concurred with the Lords in recalling the 4 Votes *for making and receiving no Addresses to or from the King*: thereby, 1. Absolving Him from a kind of Parliamentary excommunication.

2. Restoring to all Free-borne Subjects the Liberty they are borne to; of presenting their humble desires to His Majesty, and performing the Duties of their Allegiance and Oath.

And 3. Reducing themselves unto that scope and end for which onely the Writ summons them as a Parliament, *viz. To Treat with their King*. The second Vote read, was, *To recall the Instructions of Parliament given to* Hammond, *how to carry himself in his charge towards the King, His Servants, and all Resorters to Him, &c.* This was laid by, to be debated in the last place, after all the rest of the Lords Votes. The third Vote read, was, *That such men of all Professions as the King should send for, as of necessary use to Him in the Treaty, may be admitted to wait on Him, and that He might be in the same state of Freedome He was in when He was last at* Hampton Court. This Vote (in stead of concurring with the Lords) was divided. The *first* part (after many objections to it) was moulded into this following Question, and carried in the affirma-

tive,

tive, *That His Majesty might send for Men of all Professions, and He being desired first to send a List of their Names to the Parliament, and nominating no Person excepted out of Pardon, none that have been in Actuall War against the Parliament, nor any man that is under restraint of the Parliament.* The latter part of this Vote, *for enjoying such Freedome as He was in at* Hampton Court, was diversly argued, for the ambiguousnesse of it: the Question being, *Whether such Freedome as the Parliament allowed Him*, or *such Freedome as the Army* (for their own ends) *gave Him* de facto, *were intended?* at last the Question was agreed to *in Terminis.* The fourth Vote, was, *That the Scots should be invited to the Treaty*: this likewise was doubtfully argued, 1. *Whether they should be invited by the Parliament? considering they had broken the large Treaty, Nationall Covenant, and Union by surprizing and Garrisoning* Barwicke *and* Carlisle, *and by entring* England *with an Army*: this was carried in the negative. The 2 Debate, was, *Whether it should be left to the King to invite the Scots to send some Persons authorized to Treat upon such Propositions as they should make for the Interest of* Scotland *onely?* This likewise was opposed for the reasons aforesaid, and because the Power and Authority of *Scotland* was now in the hands of Duke *Hamilton* and a few dis-affected persons, who were not likely to send any of the honest, Godly party to Treat, whereby the Treaty would be carried on to the dis-advantage and ruine of the Godly and of the Church, our onely friends there: and Master *Ashurst* related, *That the major part of the past Parliament of* Scotland *over-powred the minor part by an Army; and so got the Engagement and other Acts, and the Committee of Estates passed, against which the Assembly of the Kirke (consisting of* 400 *persons) Declared with one Voice.* I know not what he meant by saying *the major part in* Scotland *over-powred the minor part*, when I consider that, *major pars obtinet rationem totius*, the major part is virtually the Parliament, to which the minor part must submit; although here in *England* the lesser part of the Parliament engaging and conspiring with an Army (whom themselves in a full and free Parliament had formerly declared *Enemies to the state*) over-powred the greater part contrary to reason and practice. This Question seemed to agree with the sense of the Independents reasonably well, because it leaves it

onely

only to the pleasure of the King to Treat distinctively with the Scots upon the sole Interest of *Scotland*, as men no waies concerned in the setlement of peace in *England*; whereby it is tacitely inferred, that the Treaties, Covenant, and Union between the two Kingdomes is dissolved: so the Question aforesaid was put with this addition, *That if the King shall be pleased to invite the Scots to send some persons Authorized, &c. the Parliament will give them safe Conduct.* The fifth Vote of the Lords was, *That* Newport *in the* Isle of Wight *should be the place of Treaty*: to which the Commons concurred. With these Debates ended this Week the 19 day of *August*.

[133. Pestilent Tract, called, *The necessity of the absolute power of all Kings, &c.*]

About this time came forth a Book, entituled, [*The necessity of the absolute power of all Kings: and in particular, of the King of* England] concerning which, I am to admonish the Reader, that it is conceived to be a Cockatrice hatched by the Antimonarchicall faction, to envenome the people against the KING and PRINCE.

Out of these Premises, I shall draw these Conclusions following:

General Conclus

1. THe *engaged Party* have laid the *Axe* to the very *root* of *Monarchy* and *Parliaments*: they have cast all the Mysteries and secrets of Government, both by Kings and Parliaments, before the vulgar (like *pearle before swine*) and have taught both the Souldiery and people to looke so far into them, as to ravell back all Governments, to the first principles of nature: he that shakes Fundamentals, means to take down the Fabrick. Nor have they been carefull to save the materials for Posterity. What these negative Statists will set up in the room of these ruined buildings doth not appear; only I will say, *They have made the people thereby so curious and so arrogant, that they will never find humility enough to submit to a civill rule*; their ayme therefore from the beginning was to rule them by the *power of the Sword*, a military Aristocracy or Oligarchy, as now they doe. Amongst the auntient Romans, *Tentare Arcana Imperii*, to profane the mysteries of State, was Treason; because there can be no form of Government without its proper mysteries: which are no longer mysteries then while they are concealed. Ignorance, and Admiration arising from Ignorance, are the parents of civill devotion and obedience, though not of Theologicall.

1. The Gra have subv the fundar tall Gove ment of t Kingdome and why.

2. Nor have these *Grandees* and *their party in the Synod*, dealt more kindly with *the Church*, then with *the Common-Wealth*: whose reverend mysteries, their Pulpits and holy Sacraments, and all the Functions of the Ministery are by their connivence profaned by the *clouted shoe*; *the basest and lowest of the people making themselves Priests*, and with *a blind distempered zeal Preaching such Doctrine as their private Spirits* (spirits of illusion) *dictate to them*: But let them know, *that their burning zeal without knowledge, is like Hell fire without light*. Yet the greatest wonder of all is, *That*

2. They have verted the Church.

they suffer the Lords Supper (that Sacrament of Corroboration) *to be so much neglected in almost all the Churches in the Kingdome: Is it because men usually before they receive our Saviour* (that blessed guest) *sweep the house clean, casting out of their hearts* (those living Temples of the Holy Ghost) *Pride, Ambition, Covetousnesse, Envy, Hatred, Malice, and all other unclean Spirits, to make fit room to entertain* Jesus, *that Prince of Peace,* whereby the people having their minds prepared for *Peace, Charity,* and *Reconciliation,* may happily spoil the *trade* of our *Grandees,* who can no longer maintain their usurped dominion over them, then they can keep them dis-united with quarrels and feudes; and uphold those Badges of factions, and tearms of distinction and separation, *Cavaliers, Round-heads, Malignants, Wel-affected, Presbyterians,* and *Independents?* or is it because they fear, if the Church were setled in peace and unity, it would be a means to unite the Common-wealth, as a quiet cheerfull mind often cureth a distempered body? I will not take upon me to judge another mans Servant; but many suspect this is done out of designe, not out of peevishnesse.

3. That these *Grandees* govern *by power,* not *by love*; and the *Laws of the Land* (which was my last assertion) appears by,

1. The many Garrisons they keep up, and numerous Army they keep in pay to over-power the whole Kingdome; more then at first the Parliament Voted: all in the hands of Sectaries.

2. Their compelling the Parliament to put the whole *Militia* of *England* and *Ireland* by Land and Sea, in the power of Sir *Thomas Fairfax* and their Party, together with all Garrisons.

3. Nor doe they think the Laws of the Land extensive enough for their purposes; therefore they piece them out with Arbitrary Ordinances, Impeachments before the Lords, and Marshall Law, which is now grown to that height, that the Councell of War, Generall, and Judge Advocate of the Army do usually send forth Injunctions to stay Suits, and release Judgments at Law, or else to attend the Councell of War wheresoever they sit, to shew cause to the contrary: And when Lieutenant Col. *Lylburne* was ordered to be brought to the Kings-Bench-Bar, upon his *habeas*

Corpus,

Corpus, Easter Terme, 1648. *Cromwell* sent word to the Lieutenant of the *Tower* not to bring him; and *Cromwell* was obeyed, not the *Judges*. Thus the *Laws of the Land* are daily baffled, that men may be accustomed to Arbitrary Government, and those actions which no *Law of the Land* calls *a Crime*, may be interpreted *Treason*, when our *Grandees* please to have it so.

4. Their *allowing Money* to some *Committees* to *reward Informers, Spies*, and *Intelligencers*, to *betray* even their neerest friends and relations.

5. Their *holding Honest, Generous*, and *Grave men in suspition*, and making the *Houses of Parliament and Army* snares to them, expelling them with *false* and *extrajudiciall Accusations*.

6. Their *owning dishonest, base-minded men*, that have *cheated the State*, as *instruments* fit to be *confided in*, and associate with them in *time of danger*.

7. Their *impoverishing the people with confused Taxes, decay of Trade*, and *obstructing of the Mint*, and *therby breaking their spirits*.

8. Their *changing* and *dividing* the *Militia* of *London*, purposely to *weaken it*.

9. Their *not restoring to the Counties* their *Militia*, and trusting them to *defend their own houses* as formerly.

10. Their *nourishing Factions in the Common-wealth, Schismes in the Church*.

11. *Expelling learned Divines* to let in *ignorant men*. All these are tyrannicall policies grounded upon the old principle, *That a Tyrant should deprive his Subjects of all things that may nourish courage, strength, knowledge, mutuall confidence and charity amongst them*; which Maxime the best Politicians say contains the *whole Systeme or method of Tyrannicall Government*.

4. As this encroaching Faction have *usurped all the Military and Civill power of both Kingdomes*; so they have *monopolized all the great Offices, rich Imployments, and Treasure of the Land*; They are clearly the predominant party in all *Money Committees*; They *give daily* to one another *for pretended Services, Arreares, and Losses, great sums of Money*: many of their Largisses I have already set down: They gave lately to Col. *Hammond* Governour of the *Isle of Wight*, for his Table 20l. a Week, 1000l. in money, and 500l. a year land: to Major Generall *Skippon* 1000l. *per annum* land

4. The Inc dents div the Tax Spoiles, preferme the Lan tween the

land of Inheritance; to Colonel *Mitton* 5000l. in mony; *Prideaux* hath 100l. a Week benefit by the Post-Masters place; his whole Estate (before this Parliament) was hardly worth 1000l. nor is he eminent for any thing but *impudence* and *arrogance*: Master *Rowse* hath *Eaton Colledge*, worth 800l. *per ann.* and a Lease of that Colledge worth 600l. *per annum*: Sir *William Alanson* the Hamper-Office, and *Crab-Castle*, worth 600l. *per annum*, bravely wooded: Alder: *Hoyle* of *Yorke*, the Treasurers Remembrancers Office: Master *Sallaway* a poor Grocer, the Kings Remembrancers Office; neither of which, are able to read any one Record in those Offices. *Tho: Scott*, *Lambeth-house*. Sir *Will: Brereton*, *Croyden-house*. Col. *Harvey*, *Fulham* & *Norwich-houses*. Mr *Lysle* the Mastership of St *Crosses*. *Dennis Bond's* 3 Sons, each of them a Place worth 500l. a year, besides many others. All the cheating, covetous, ambitious persons of the Land, are united together under the name and title of *The Godly*, *the Saints*, *&c.* and *share the fat of the Land between them*, few of them *pay any Taxes*, but *all the Land paies Tribute to them.*

It is thought this *Faction*, their *under-Agents* and *Factors*, have cost this *Common-Wealth* above 20 *millions* never laid forth in any publick service: nay, the *Treasurers* and *Publicans* of *this Faction* have *clipped* and *washed* most of the *Money* that comes into their fingers before they pay it forth, knowing that any *money* that comes out of their fingers will be accepted: *two Gold-smiths* are thought to be *dealers this way*, yet they *lay the blame* on the *Scotish Army*, as the *Cuckow laies her brood* in *other Nests*.

5. Independents provided places of retreat to flie to.

5. Having thus imped their wings for flight, they have provided themselves of places of retreat in case they cannot make good their standing in *England*; *Ireland* is kept unprovided for, that they may find room in it when necessity drives them thither. If their hopes faile in *Ireland*, they have *New-England*, *Bermudas*, *Barbadas*, the *Carybi* Isles, the Isle of *Providence*, *Eleutheria*, *Lygonia*, and other places to retreat to, and lay up the spoyles of *England* in: nay, they usually send *chests* and *vessels* with *money*, *plate*, and *goods* beyond Sea, with *Passes* from the *two Speakers*, *To let them passe without searching*: the *Navy* is in their power to accommodate their *flight*, and by their Instruments called *Spirits*, they have taken up many Children and sent them before to be

Slaves

Slaves and *drudges* to the *Godly* in their *schismaticall Plantations*: as the *Turke* takes up *Tribute-children* from the *Christians* to furnish his *nursery* of *Janisaries*; and so they have their *Agents* that buy up all the Gold they can get: *Cromwell* not long since, offered 11000l. in silver for 10000l. in gold; besides, he is well furnished with the Kings Jewels taken in His Cabinet at *Nazeby*; many of them known Jewels, as the *Harry*, and the *Elizabeth*.

6. Nor shall the vulgar sort of *Independents* either in *Parliament*, *Army* or *City*, fare better then the rest of the *Kingdome*. The *Grandees* both of *Parliament* and *Army* endeavouring to adjourn the *Parliament*, and draw all the power of both Houses into the Committee of *Derby-house*, consisting but of 30 or 40. the rest of the *Independent Members* will find their power dissolved in the adjournment, and swallowed up by that Committee, and their services forgotten: nor shall they have any power in the *Militia*, which is the only quarrell between them and the KING: the *Grandees* disdaining to have so many Partners in that which they have got by their owne wits; for know that the *Grandees* have alwaies been winnowing the Parliament. First, they winnowed out the *moderate men* under the notion of the *Kings party*, then the *Presbyterians*, and now they will winnow forth the *lighter* and more *chaffy sort* of *Independents*, who stand for the *Liberty of the people*; a thing which *Cromwell* now calleth, *A fancy not to be engaged for*; and so they will bring all power into their own hands. Thus having contracted the *Parliament* into a *Committee of Safety*, they will adjourn themselves (though the Parliament cannot) to *Oxford*, or some other place which they more confide in then *London*; and this is the *setling the Kingdome without the* KING, they so much ayme at: and which, they had rather the people should be brought *practically* and by *insensible degrees*, then by *Declarations* held forth to them before hand, or by *politick Lectures* in the *Pulpit*. Thus it is decreed, that this Caball of *Godly men* at *Derby-house* shall with a *military Aristocracy*, or rather *Oligarchy*, rule this *Nation* with a *rod of Iron*, and *break them in pieces* like a *Potters vessell*.

6. The vulgar dependents props and perties to the Grandees.

Observe that the *Ordinance* by which the *Committee of Derby-house* is revived, and the *addition* of power to it, are purposely penned in such ambiguous tearms, that *He that hath the Sword in*

his hand, may make what construction of them he pleaseth: neither were they cleerly penned; Is it in the *power of the Houses* (being but the *Trustees* of the People) *to transfer or delegate their trust to a lesser number of men?* a *trust not being tranferable by Law, and the people having chosen a Parliament, not a Committee, to look to their safety and Peace.*

7. Army hin- eace and ent.

7. The *Grandees* of the *Parliament* and *Army* have brought the Kingdome to so miserable a condition, that they have left no Authority in *England* able to settle Peace: The KING is a close Prisoner to the Army, therefore all he shall doe will be clearly void in Law by reason of *Dures*: The Parliament is in Wardship to them, who keep armed Guards upon them, Garrisons round about them, and by illegall Accusations, Blank Impeachments, threatning Remonstrances, and Declarations, &c. fright away many Members, and compell the rest to Vote and un-Vote what they please, whereby all the Parliament doth is void and null in Law *ab initio*, it being no free Parliament but a Sub-committee to the Army, and living as the Egyptians did under vassalage to their own *Mamaluchi* or Mercenaries: The People therefore must resolve either to have *no Army*, or *no Peace*.

8. two Vni- ties de- ed.

8. They have put out the eyes of the Kingdome, the two Universities of *Oxford* and *Cambridge*, and have brought the whole Land to make sport before them, knowing that *Learning* and *Religion*, as well as *Lawes* and *Liberties*, are enemies to their barbarous, irrationall, and Russian way of Government.

9. y honest seduced ir preten- took part them; ne- ntending ave their principles; enslave g, and gdome.

9. Many honest men took part with this Parliament, seduced by those fair pretences of *defending Religion, Laws*, and *Liberties*, which they first held forth to the People; and being unwilling to have a *Parliament conquered* by *the Sword*, not thinking it possible that a *prevailing Faction* in *Parliament* should so far prevaricate as to *conspire to enslave King, Parliament, and Kingdome, to subvert the Laws, Liberties, and fundamentall Government of the Land* under which *they and their Posterity were, and were likely to be so happily governed; and betray Religion unto Hereticks and Schismaticks, and share the spoiles of the Common-wealth between them, and think of enriching themselves with them in forain Lands*; yet many at the beginning *much disliked*, that *Religion* should be used as an *ingredient* to the carrying-on of a *Civill War*, and that *Schismaticks* should

should have so great a stroak in managing the businesse: yet were pacified with this consideration, that we must refuse no helps in our defence: if a man be assaulted by Thieves on the high way, he will not refuse to joyne with Schismaticks or Turks in a common defence; the same authority that then countenanced those Schismaticks (it was hoped) would be able to discountenance them againe when the work was done. But the *Grandees* of the Houses, (having other designes) had so often purged the Houses, that they left few honest moderate men in them to oppose their projects; still bringing in Schismaticks and men of their owne interests, by enforced and undue Elections, into their rooms; and so by insensible degrees, new modelled the House sutable to their own corrupt desires, and new modelled this Army accordingly: so that the people (who had no intention to be interested so far) were step by step so far engaged before they were aware; that they could not draw their feet back, and do now find (to their grief) that the Bit is in their mouths, the saddle fast girt on their galled backs, and these Rank riders mounted, who will spur them (not only out of their Estates, Laws, and Liberties, but) into Hell with renewed Treasons, new Oaths, Covenants and Engagements, if they take not the more heed, and be not the more resolute: they have changed their old honest principles, and their old friends, who bore the first brunt of the businesse, and have taken new principles and friends in their roome, sutable to their present desperate designes, and now (that they have squeezed what they can out of the Kings party) they think of sequestring their old friends because they adhere to their old principles.

10. Amongst those that are most bitter against the King, His own Servants (especially the *Judasses* of the Committee of the Revenue that carry His purse, and have fingered more of His Mony and Goods then they can or dare give an account for) are the greatest Zealots, those that take upon them imployments about his Revenue, and share what allowances to themselves they please for their pains; those that buy in for trifles old sleeping Pensions, that have not been payed nor allowed this thirty year, and pay themselves all arreares: those that rent parcels of the Kings Revenue, for the eighth or tenth part of the worth, as *Cor: Holland*, who renteth for 200l. *per annum*, as much of his Estate as is worth 1600l.

10 Who are King's bi enemies.

1600l. or 1800l. *per annum*: Thus you see the *Lion* (Lord of the forrest) growing *sick and weake*, become a prey, and is *goared* by the *Oxe*, *bitten* by the *Dog*, yea and *kicked* by the *Asse*: Looke upon this *president* you *Kings* and *Princes*, and call to mind examples of old, that of *Nebuchadnezzer*, and others, *Lest by exalting your selves too high, you provoke God to cast you too low.*

11. ged Concies and Newes.

When the *Grandee Independents* have a desire to *raise new Forces*, or *erect new Garrisons*, or use any *extremity against the City*, or *Royall party*; they commonly usher in the designe with Reporting to the House *the Discovery of some new invented Conspiracy*, or *Plot full of danger and destruction*; such as was that of *many thousand consecrated Knives*: and then propound their own forelaid *designe* as a counsellable way to prevent it. And he that doth not *hastily believe their Informations*, or doth *argue against the Remedies they propound*, (though he shew never so great inconveniency in them) is presently cried out upon as *a Malignant, that doth not take the danger of the Parliament to heart*, and branded by the *black tongues* of the *Godly*: and when any *great businesse* is to be *treated of in Parliament*, or *City*, which they either *desire to promote*, or *to obstruct*, they commonly publish *counterfeit Newes*, and *Letters of great Victories and Successes* gotten by *their Party* in parts so *remote* that they cannot in a *short time* be *confuted*: this serves *to credit* and *animate their Party* to go on *boldly with their Worke*; and to *dishearten their Opponents*: and though the profit and reputation of a *lie* is seldome long-lived, yet if it last some few daies, untill they have *carried on the present businesse*, they care not: Herein they imitate a *skilfull Architector*, who building an *Arch*, supports it in the beginning with *circular props* and *pieces of timber*, until he hath closed it, and enabled it to support it self, and then throws away the *props*.

12. Art of der and umny.

When they have a designe to *ruine any man*: before they fall openly upon *his person*, they *secretly undermine his credit and reputation*, that afterwards *they may oppresse him with applause*, and they are so excellently well fitted with *Agents* and *Instruments* for this purpose, that they can prove what they list: The *close Committee of Examinations* is an excellent forge for these *contrivances*; they know where to find the *sonnes* of *Belial* (now commonly called *Knights of the Post*) who will trust God with their

souls

souls to advance *the good Cause*; they have *secret Examinations* of severall sorts, some *preparatory* onely; amounting but to suspitions and presumptions, to wound a mans good name, and make him liable to more deadly blowes hereafter: and some *consummatory*, laying the Axe to the root at the first blow: nor is it a small Artifice of theirs boldly to accuse other men of those *crimes* they themselves are *guilty of*, as they did the 11 *Members* of *trucking with the* KING, being their own fault; by this means it doth *constare de re* presently, it appears such offences are committed: and if they can but fix them upon the persons of other men by bold *Accusations*, *close Examinations*, and *false Witnesses*; then *constat de persona*, they have found men to personate them, deputies to beare the ignominy and punishment of their sins: so some lascivious persons free themselves, bestowing their diseases upon others.

They account no man a *Godly*, *faithfull*, *confiding man*, but he that engages as far in sin, and makes himself as hopelesse of reconciliation as themselves, *Quis nunc diligitur nisi conscius?*

Since, the *revolt* of some of *their Ships* hath almost made them *hopelesse* of *transportation* to *foraine Plantations*: The *schismaticall Grandees* have made Col. *Walton* (Brother-in-law to *Cromwell*) Governour of *Lyn*, *Boston*, and *Crowland*, and of all that levell of morasse Ground in the *Isles of Ely*, *Holland*, and *Marshland*, which they can lay under water at pleasure: it is a plentifull and strong fastnesse, able to feed 40000 men besides the ordinary Inhabitants: there are but three passes to enter it, over 3 Bridges: upon which they have, or may build Forts for their defence; and may from thence invade the adjacent Country at pleasure, being themselves free from incursions; or they may (if they list) break down the said Bridges: These places (already strong by nature) they dayly fortifie by art; for which purpose great sums of *money* have been sent to him, and much *Arms*, *Powder*, *Ammunition*, and *Ordnance* from *Windsor-Castle*: Here (when all other helps fail) the *Godly mean to take Sanctuary*: this shall be their last *retreat*: from whence they will draw the whole Kingdome *to Parly upon Articles of Treaty*, and *enforce their peace from them at last*: These are the *stratagems* of the *Godly*: These are our *Saints*, no where *Canonized* but in the *Devils Calender*.

13 What a C ding man

14 The last treat and fuge of th Godly.

15. ſtitious edges of ment: ſee Hiſtory, 95,106.

As the Church of *Rome* is never unfurniſhed with *dormant Articles of Faith* upon all emergent occaſions; ſo the *Grandees* are never unprovided of *dormant Priviledges of Parliament* (which they call (by a new canting word) *lex Parliamenti*, in oppoſition to *lex Terræ*) with theſe they bolſter out their deſignes: Theſe Priviledges were much inſiſted on in their Impeachments of the Members and Aldermen: and whoſoever pleads againſt them in his owne defence, and flies from thoſe Priviledges to the known Laws for ſanctuary, is cried out upon for overthrowing the Juriſdiction and Priviledges of Parliament, and therefore guilty of Malignancy: thus *John Lylburne* ſuffers, if he does not plead againſt them; he laies his head on the block at the mercy of theſe mercileſſe men. This net caught many a wood-cock, untill the ſaid Aldermen and Sir *John Maynard* broake through it, and ſpoiled the cock-road.

16. confuſion Monarchy ught un- e *The Hi-* ſect. 105, 6.

The Grandees of the Parliament and Army have ſo totally ſubverted our fundamentall Government and Laws, that we have neither Monarchy nor Common-wealth left; *non jam Reſpublica, ſed magnum latrocinium eſt*, we have not ſo much as a face and ſhadow of Government remaining; we have a KING *de jure*, but ſo wholly eclipſed and diſabled to performe Acts of Government by his Cloſe Impriſonment, that (for the preſent) we have no King *de facto*, and every man doth what ſeemeth good in his owne eyes: we have Magiſtrates, Judges, and Juſtices *de facto*, but not being conſtituted and ordained by any lawfull Authority, nor under any authenticall Great Seale according to the Lawes of the Land, they are not Magiſtrates and Judges *de jure*, ſo that if we look upon the King our ſupreme Governour, our violent Grandees have brought an *Inter-regnum* upon us; If upon our Magiſtrates, Judges, &c. they have brought a *Juſtitium* (a totall eclipſe of juſtice) upon us: It followes then, that both the imperative and coercive power of the King and Magiſtrates, the legiſlative power of the Parliament, the judicative power of the Judges and Juſtices, are all ſuſpended and in *Abeyance*: and like a Watch, when the principall wheeles are broken, no part can move to perform its function. *Contzenius* the Jeſuite in his *Polſaies*, *He that will introduce a new Religion, or a new form of Government, muſt utterly aboliſh the old; and erect his new Fabricke*

upon

upon the ruines of it: you see they have been apt Schollars in this doctrine of the Jesuite this 7 years, which they have spent in Demolishing: but what forme of Government our Grandees will erect upon the ruines they have made, doth not yet appear, nor how all just Interests, and mens particular Estates shall be preserved from being buried under the ruines of this earthquake.

17. The Reg Legislativ Iudicative power usu ped.

The KING is the only supreme Governour of this Realme of *England*, to regulate and protect the People by commanding the Lawes to be observed and executed; and to this end He (and He alone) beareth not the Sword in vaine: yet the KING by Himself can neither make, repeal, or alter any one Law, without the concurrence of both Houses of Parliament, the *Legislative power* residing in all three, and not in any one, or two of the three Estates, without the third; and therefore no one or two of them can exclude the other from having a *Negative voice* in passing, repealing, or changing of Lawes: Nor can the King by Himself, or joyntly with the Lords and Commons judge *what the Law is*; this is the office of the sworn Judges of the 2 Benches and Exchequer, who are the known Expositors, and Dispensers of *Law and Justice* in all Causes brought before them; yea, they doe declare *by what Law the King Governes*, thereby keeping the King from governing arbitrarily, and inslaving the people. And these Judges of the Law have alwaies been authorized by the King; and all legall proceedings have been in His Name, and by His Authority 1200 yeares before *Magna Charta* granted, or any set forme of Parliament established. The Law it selfe is called, *the Kings Law*; the Realme, *the Kings Realme*. He is the fountaine of *justice, mercy, honour*, witnesse all our Statutes, Law-books, and Histories, and the Oath of Supremacy, which every Member taketh before he sits in Parliament. Now for any one man, or any Assembly, Court, or Corporation of men (be it the two Houses of Parliament) to usurp these three Powers: 1. The *Governing power*. 2. The *Legislative power*. 3. And the *Judicative power*, into themselves, is to make themselves the highest Tyrants, and the people the basest Slaves in the world; for to govern supremely by a Law made, and interpreted by themselves according to their own pleasure, what can be more boundlesse and arbitrary? they may put to death whom they please, for what cause they please,

and confiscate his Estate to their own use: yet this the two Houses of Parliament, or rather an over-powring Party in the two Houses, seasoned with a schismaticall humour of singularity, have lately done.

1. For the *Governing Power*. 1. They coyne, enhaunce, and abate money. 2. They make War and Peace, and continue an extraordinary Militia of an Army upon us. 3. They declare who are Enemies to the Realm. 4. They maintaine forraine negotiations. 5. They regulate matter of Trade, and exercise other Regalities: whereas all *Jura Regalia* belong onely to the King as Supreame Governour.

2. For the *Legislative Power*. They exclude the King from His Negative voice, and the two Houses obtrude their Ordinances (things so new, that they are not pleadable in any Court of Justice) as Lawes upon the people; laying on Excise, Assesments, and Taxes upon the people: They Vote and declare new Treasons, not known by the Statute 25. *Edw.* 3. nor by any other known Law; yea even to make or receive any addresse to, or from the King; and they account it a Breach of Priviledge, if men do not believe it to be Treason, being once declared. They out men of their free-holds, and imprison their Persons, contrary to *Magna Charta*, by Ordinances of Sequestration, &c.

3. For the *Judicative Power*: They erect Infinite many of new Judicatoryes under them, as their Committees of Complaints, of secret Examinations, of Indemnities; their Country Committees, where businesses are examined, heard, and determined without, nay against *Magna Charta*, and the known Lawes: Nay even in Capitall crimes they wave the Courts of Law, and all Legall proceedings by Outlawry, Indictment, or Tryall by *Peeres*, and *Bill of Attainder*; (which is the onely way of Tryall in Parliament. For the Parliament cannot judicially determine any thing, but by Act of Parliament) and set up new invented formes of proceeding before the Lords onely (even against free Commoners, although the Lords be not their *Peeres*) as in the case of the four Aldermen, &c. and the *Arch-bishop* of *Canterbury*: They defend these doings by a pretended necessity of their own making: But when the King had neither Army nor Garrison in the Kingdome, and thereby this necessity was removed; why did they not (to prevent

vent Tumults, Insurrections, and a new war) content the people, and returne all things into their old Channell, and restore to the people their Religion, Lawes, and liberties, being their first principles, for which they engaged them to spend their blood and Treasure, and for defence whereof, they engaged themselves and us in a Covenant with hands lifted up to the High God? why did they then provoke the *Scots* to a new war? but that they might have occasion to keep up their Army still, and inthrall the Kingdome: Look upon their Doctrine, as well as their aforesaid practises, and you will find that all they do, is but to carry on afore-laid designe, to lay by the King, and enslave the people, under the new erected Kingdome of the Saints; the Grandees of *Derby-House* and the Army. In the Declaration against the *Scots* Papers, *p.* 67. They have adjudged the King unfit to Governe. And *p.* 70. they say, the Power of the Militia was the principall cause of their war and quarrel with the King; and in their Declaration against the King, they say, they cannot confide in Him. It hath been commonly spoken in the House of Commons, that the two Houses, nay the House of Commons alone, is the Supream Power of this Nation under God. 16 *March*, 1642. Both Houses Voted it a High Breach of Priviledge of Parliament, for any Person (not excepting King or Judge) to oppose their Commands, or to deny that to be Law, which the two Houses declared to be so. In their Declaration against the *Scots* Papers, *p.* 63. the Members say: That in all matters either concerning Church or State, we have no Judge upon earth but themselves, who will account the *Popes* plenitude of Power monstrous hereafter, that shall observe this Doctrine and practise of subjects in Parliament, clayming and exercising a Supream Government, (whereof the Militia is a part) a Legislative and Judicative Power over the Consciences, lives, liberties, and estates of their fellow subjects: And all this under colour of a necessity, raised by themselves out of a dispute they set on foot against the King, which they have affirmatively adjudged and determined for themselves against Him; without consulting the Lawes, Statutes, and usages of the Realme. Nay the very Oaths of Supremacy and Alleageance, which all with one voice speak against them; who would think that a faction in Parliament, or any pest lesse then an Earth-quake

or Deluge, should in seven yeers time reduce so well-formed a Common-wealth into such a *Chaos*? Yet even now the people are promised to be Governed by the known Lawes, and Judges are appointed to determine suits according to the Lawes. Surely there never was Tyrant that deprived his Vassals of a known law amongst themselves; this were to disable them to acquite wealth, and so lose his own benefit of Taxes and Confiscations. By the Lawes of England, a villaine was protected in his goods against all men, his Lord excepted: The *Turkish* vassals heap up much wealth, and are protected against their fellow-slaves, though not against their Grand Seigneor who may seize their estates, and take their lives at pleasure: And this is all the protection the people of *England* have now by the Lawes: We have the benefit of Law one against another, (unlesse some Powerful member interpose) but against the two Houses, or either of them, or any Grandee, what Law, what Justice, can protect our lives, liberties or estates? and yet we were allowed heretofore to make our defence in Law against the King. And untill the King be again restored to his Right, expect no better Right to be done you by this heedlesse head-strong Faction in Parliament.

18. Small ...e of the ...ndees ...avours.

The summe of all their indeavours is no more but this; The Grandees of *Derby-house* and the Army have already by their Votes of *no addresses*, and their Scandalous Declaration *laid by the King; and in Him, Monarchy*, (notwithstanding they delay and fool the people with tedious debates of a Personall Treaty) And *when this innovation is digested* by the people, their next step will be to make use of the Schismaticall, Antimonarchicall party in the House of Commons, Army and City, *to cast off the House of Peers as* Prerogative creatures and rags of Royalty: (some Schismaticall Plebeian Lords excepted, who shall recruit the Power they lose in the House of Lords, by being of the Committee of *Derby-house*) and when the people are well inured to this change, and the grievance of it worne out by Custome; then *to lay by the House of Commons, and usurp the full Power of the King and Parliament into the* Committee of safety at *Derby-house*, who by way of preparation, do already stile themselves in all forrain negotiations, The STATES: Nay they do already act all matters of moment at home, and assume unto themselves all the properties

of

of a State, the Parliament being but a Sub-Committee to them, upon whom they put what Impositions and injunctions they please, witnesse the designe put upon the House of Commons *for every Member to subscribe what number of Horse he would maintain for a Guard*; I know not whether to the Parliament, or to the Committee of *Derby-house*.

This disease being now come to its Crisis; it is no hard matter to prognosticate, That nature (that is, the King, our natural liege Lord) must inevitably prevaile at last against this Antimonarchicall Faction; for these reasons: 19. The Progn stick of thi disease.

1. The KING can never want a Party: the Parliament (or rather Antimonarchical faction in Parliament) can never manage a party without faction and confusion.

2. The KING may husband His Treasure to His best advantage: the Faction in Parliament cannot, but must necessarily be cheated; that they may be followed and befriended: since only common crimes, and common profit glues and cements them together: and only such are found to be confiding men to them.

3. The KING is now discovered (to every common capacity) to have all the known Lawes of His side: the Parliament all the known Laws against them; and the people will no longer be governed without Law, by new arbitrary inventions.

4. The KING hath recovered all the peoples affections: the Parliament hath lost them; a privation which can never be reduced into habit againe.

5. The KING is allyed both in Consanguinity of Bloud, and affinity of Cause with all the Princes of Christendome: the Faction in Parliament are *terræ filii, fraterculi Gigantum*, Mushromes.

6. The KING's Army will obey Him and His Interest: the Parliaments Army will command them and their Interest; besides, they are men of different Principles and Interests, onely held together by profit; and when that fails, they fall in sunder.

Nothing therefore but a free *Personall Treaty* in *London* can prevent a Conquest: whatsoever desperate forlorne people say to the contrary.

The

The Epilogue.

I *Am not Ignorant that there is a naturall purging, a naturall phlebotomy, belonging to Politique, as well as to Naturall bodies: and that some good humours are alwaies evacuated with the bad; yet I cannot but deplore what I have observed, That the honestest and justest men of both sides (such as, if they have done evill, did it because they thought it good; such as were carried aside with specious pretences, and many of them seduced by pulpit-Devils, who transformed themselves into Angels of light) have alwaies fared worse then other men, as if this difference between the King and Parliament were but a* syncretismus *or illusion against honest men: nay, I doe farther foresee, that in the period and closing up of this Tragedy, they will fare worst of all, because they have not taken a liberty to inrich themselves with publike spoiles, and fat themselves by eating out the bowels of their mother, but are grown lean and poor by their integrity; whereby being disabled to buy friendship in the daies of trouble, they will be put upon it, to pay other mens reckonings. When* Verres *was Prætor of* Sicily, *he had with wonderfull corruptions pillaged that Province; and at the same time the Prætor of* Sardinia *being sentenced for depeculating and robbing that Province,* Timarchides, Verres *correspondent at* Rome, *writ a very anxious Letter to him, giving him warning of it: But* Verres *in a jolly humour answered him,* that the Prætor of *Sardinia* was a foole, and had extorted no more from the Sardinians then would serve his owne turne; but himself had gathered up such rich booties amongst the Sicillians, that the very overplus thereof would dazle the eyes of the Senate, and blind them so, that they should not see his faults: *such (I foresee) will be the lot of the more just and modest men, who shall be guilty because they were fools; as the other sort shall be innocent because they were knaves: whatsoever befalls (you clear and innoxious soules) be not ashamed, be not afraid of your integrity: if this Kingdome be a fit habitation for honest men, God will provide you a habitation here: if it be not capable of honesty, God will take you away from the evils to come,*

come, and poure out all the Vials of his wrath on this totally and universally corrupted Nation, this incurable people; Qui nec vitia sua nec eorum remedia ferre potest: for my owne part, (if I am not such already) I hope God will make me such a man, Quem neque pauperies, neque mors, neque vincula terrent; and if Moses in a heroick zeale, to draw a remission of the peoples sin from God, desired to be blotted out of his Booke (the Booke of Life) and Saint Paul to be Anathema for his Brethren, why should not I (with relation to my self, and submission to Christ) say, oportet unum mori pro populo, it is fit one man die for the people, and devote my self to death for my Countrey, as the family of the Decii in ancient Rome were wont to do? I have read and admired their examples, why not imitate them? is it because (as Machiavell saith) The Christian Religion doth too much breake, enfeeble, and cowardize the spirit of man, by persecuting and subduing nature, by denying her due Liberty, and tying her to be more passive then active: At facere & pati fortia Romanum, imo Christianum est: or is it because in this generall deluge of sin and corruption, a publicke spirit, and excellency in virtue is accounted a degree of madnesse? or is it because of the corrupt Judgement of these times, which makes a man more infamous for his punishment, then for his sinne? and therefore Heroicke acts are out of fashion: the circumstances and ceremonies of Death, are more taken notice of then Death it selfe: these follies weigh not with me. Sublimis an humi putrescam, parvi refert, The Thiefe upon the Crosse found a ready way to Heaven: How much more an honest man? Many a man out of Prison steps into Heaven, no man out of Paradise ever found the way thither: Salebrosa sit via, modo certa, modo expedita; alte succinctus ad iter me accingo.

THe premises considered, I doe here in the name and behalfe of all the free Commons of England, declare and protest, that there is no free nor legall Parliament sitting in England; but that the two Houses sit under a visible, actuall, and a horrid force of a mutinous Army, and of a small party of both Houses conspiring and engaged with the said Army, to destroy, expell, and murder, with false Accusations, and Blank and illegall Impeachments and prosecutions, the rest of their fellow-Members,

who sate in *Parliament* doing their duty, when the two Speakers with a small company of Members, secretly fled away to the *Army*, and sate in Council with them, contriving how to enslave *King*, *Parliament*, *City*, and *Kingdome*, and how to raise Taxes at their pleasure, which they share amongst themselves and their party, under the name and title of *the Godly*, *the Saints*: And afterwards they brought the *Army* up to *London* against the *Parliament* and *City* in hostile manner; a designe farre exceeding the Plot of *Jermine*, *Goring*, &c. to bring up the *Northerne Army* to London *to over-awe the Parliament*: I doe farther protest, that the two Houses have sate under the said force, ever since the 6 of *August*, 1647. and therefore all they have done, and all they shall doe, in the condition they sit in, is *void* and *null* in Law, *ab initio*, by their owne doctrine and judgment included in their Ordinance of the 20 of *August* last; whereby they *null* and *void*, *ab initio*, all Votes, Orders, &c. passed from the 26 *July*, 1647. to the 6 *August* following.

Arguments against all Accommodation and Treaties, between the City of London, *and the ingaged Grandees of the Parliament and Army.*

1. *IT will never be safe nor honourable, for so great a City to accomodate and joyne interest with a conspiring Party, that by frequent violations of their faith and duty, have inslaved King, Parliament, City and Kingdome, and broken the Faith of this Nation, given to the Scots in the large Treaties, and in the Nationall Covenant.*

2. *By accomodating with them, you make all their crimes your own, their subtilty being to involve you to joyne with them in defence of their crimes.*

3. *The Scottish quarrell is not against the English Nation, but against the trecherous and hypocritical Grandees, who by perjuring themselves, and falsifying their engagements both unto Kingdome and Army, keeping the Souldiers by false suggestions from disbanding, and totally obstructing Irelands relief; and also a conspiring*

party

party in Parliament, who keep them up to make good the aforesaid crimes, forcing what Votes they please to passe, by over-awing the Parliament: Witnesse Cromwels laying his hand upon his sword, and forcing the House to passe those traiterous Votes against the King, contrary to their owne consciences, Allegiance, Protestations, Vow and Covenant, and to raise Taxes upon the people, which they share amongst themselves. This warre is not likely to be of any continuance, considering there being in the Army many conscientious men, who have had such ample experiment of the falshood of their Grand Officers, that they are not like to hazard their lives again under the command of such Grand Impostors as they are; also knowing the generall hatred of the Kingdome to them, under whose insupportable burdens and oppressions it groaneth. Nor have we any way to break the Power of the said Grandees of this Army, but by the Scots, whereby the just Rights and Interests of all three Kingdomes may be setled, and Ireland relieved: All which the Scots have declared in their former Papers delivered to both Houses of Parliament.

4. If you accommodate with this Faction, you must have the same friends and foes with them, as well as the same sins and quarrels; and then it will grow to a Nationall quarrell between England and Scotland, which will be of long continuance and misery: and the Interest of the King and his Children, and of all Princes of Christendome concerned in the example, will be carried on in the Kingdome of Scotland against you, if you joyne with those beggerly Grandees, who have inriched themselves and their fellow-Impostors by the ruines of the Kingdome. You will lose your credit and Interests with your friends and brethren of Scotland; the onely feare and terror of whose coming into England, kept this Faction (which all men know is never satisfied with money and blood) from taking many of your innocent heads from off your shoulders: and confiscating your estates to pay the arrears of the Army: witnesse their often speeches to this purpose in the House of Commons, and their illegall and violent proceedings against you: you will likewise lose all the people of England.

I have shewed you your losses; let me shew you your gaines by this accomodation; that by comparing one with the other, you may cast up your account, whether you shall be gainers or losers by it.

1. They offer you the Tower of London, and your Militia to be restored (things of no great consideration) and your Aldermen and

Citizens to be set at liberty: they do not offer to disband their Army, which makes them Lord it over you, and over-power both Tower and Militia; and when they have divided you from all your friends, and destroyed your reputation, and are secure from the Scots, the same violence which at first took your Tower, your Militia, and your most honest Citizens from you, can deprive you of them all again at pleasure, when you shall have none to stick by you: your obligations to them shall be of steel, theirs to you but of straw: he that gives me that he can deprive me of at pleasure, gives me nothing.

2. Cromwell *and his Party knew your City to be the entire strength of England. In* Rich. 2. *dayes, (when it was not half so great and populous as now) it slew* Wat Tyler *and routed his rabble, six times as many in number as the Army. They therefore feare you, and consequently hate you, and labour nothing more then to divide and weaken you, which is their proper interest: For which purpose (to divide the City in it selfe) they caused the Parliament to change your Militia into other hands: they cut off Westminster, Southwarke, and the Hamlets from your* Militia, *to weaken it, they have divided you from the Parliament, they have endeavoured to divide the Countrey from you,* Ut dividendo singula, imperent universis. *Wherefore the Army in their Remonstrance* 7. Decemb. 1647. *Insolently demand Reparations from the City to the Countrey adjacent, for above* 100000 l. *losse sustained through the Armies attendance on the Cities defaults; which was a device onely to make the Countrey quarrel with the City, and to make the Army Umpiers.*

3. *Consider, you shal joyne with them that never keep Faith longer then they may gain by it, whereof you have many examples. Any honest man may be deceived once, but he is a fool that will be deceived twice by one man.*

4. *Nay you cannot treat with these men, nor give them a Common Councell, or Hall, without losse and danger: They have alwaies made lies their refuge, and built their designes upon the sandy foundations of Rumors and Tables.*

Cromwell *and* Glover *already give out, that they and you are as good as agreed, that you differ onely upon a puntilio of honour, which will soon be reconciled: what is the meaning of this? but that they (having creatures of their own, Commissioners in Scotland) they have advertisement to spread the same reports there, thereby to take*

off

off the edge of your friends affections; to lay an imputation of inconstancy upon you, and make you inconsiderable in the judgements of your best friends, and retard all indeavours for your succour. In the meane time, this party hath blocked up all passages to Scotland, that truth can have no accesse to you, and you have onely such newes as Darby-house doth please to impart to you. These men have commited those crimes, that cannot be safe without committing greater: they must on head-long: go not with them for company; they desire to bestow their plague-sores upon others. Let it not trouble you, that the Parliament hath approved their subscription of the Ingagement with the Army; it was a Vote extorted in a thin house, many Members having been driven away by threats of the Army before; and there were many dissenting Members. A little patience and constancy will settle you in a lasting peace.

To petition the Houses to repeale their four Votes against the King, is to save their reputation, that seek to destroy yours.

A seasonable Caution to the City of London.

Gentlemen of the City,

YOur Neighbours of *Kent*, and other Counties, wishing well to them, take it unkindly, that (notwithstanding all these former admonitions) you should let down your chains, and give a free march to this bloudy, cheating, schismaticall Army at all hours of the night through your City to cut their throats, and lend them 6000l. to enable them to march: when they had no other designe, but in a peaceable way to deliver a Petition to the Houses, demanding nothing but what the Parliament by their Declarations, Covenant, the Oaths of Supremacy and Allegiance, and the known Lawes of the Land ought to grant. Onely, being fore-warned by the inhumane assacination of the *Surrey* Petitioners, they had some men in Armes a sufficient distance from the Town, to secure their Messengers: They have by their Letters to your selves and the Houses manifested the cleernesse of their intentions to you all. They are known to be men of setled habitations and fortunes (for the most part) not Vagabonds and Souldiers of Fortune like the Army: Their commerce with you

help you both to trade and feed; whereas the Armies insolent march in triumph through your City so far lessened your reputation ever since, that you constantly lose in your Trading 200000l. a Weeke, and no Bullion comes into the Mint; whereby multitudes of you are undone, and yet the Armies Arrears, and all other Taxes are exacted from you with as much cruelty, as if you lost nothing. Remember the Butchery committed upon the unarmed Apprentices, when *Cromwell* cried to the Souldiers *to kill man, woman, and child, and fire the City*; at which time his Nose looked as prodigiously upon you as a Comet.

Remember the scorn put upon you by a Grandee when you were enabled to put up your Chains again; That the House had consented, your Posts should have Chaines as well as your Aldermen, and did as well deserve them. And *Weaver's* word when your Guards came to attend the House, *that 60 of the Army should beat 300 of them*.

Remember how unwillingly & juglingly they restored unto you the *Tower* (first plundered of all its Amunition you formerly had in it) and part only of your *Militia*, and that clogged with many restrictions: They that bestow gifts so grudgingly upon you when they are weak, will deprive you of them again when they are strong. Adversity makes them your false friends, Prosperity your reall Enemies, Necessity only ties them to you: have a care therefore you do not relieve their necessities, lest you lose them; like the frozen Snake in the bosome, when they grow warm they will bite and sting.

You seem to have forgotten the unjust Imprisonment of your Aldermen; The unfaithfulnesse and inconstancy of their Votes and Ordinances, even for security of Money, and Land bought: the severall Informations and Testimonies you had of their good intentions to borrow more of your Mony; not by way of Loane, nor upon the Publick Faith, but by way of Plunder. Notwithstanding, all these injuries, and many more, (as if God had infatuated you, to destroy you) you suffer a corrupt Faction within you to List men (to the amazement of your neighbour Counties) whose Principles you first examine; and if they be not *Independents*, you trust them not with Armes. I hear of a young man, who being asked, *of what Principles he was?* he answered, *that in*

these

these doubtfull times he professed no Principle but gain: to whom was replied, *Then We are of one Principle, for we are resolved to keep what we have got.* Behold the Principles of these men that obstruct our peace! consider that Heaven and Earth have denounced War against these men, and that God himself hath touched the hearts of all men as one man to rise against them, and demand to have Peace, Religion, and Justice restored. When the whole Kingdome shall rise in a flame, what will be your lot but smoake in your eyes, and at last a consuming fire in your bowels? when you onely shall be left to maintain this domineering Army with your mony, and to recruit them with your bloud? Many of their Officers say already, *That the Countrey is exhausted of Money, and you shall be their Purse-bearers:* but because you are a curst Cow, they must keep the *Army* about you, that the Souldiers may hold you by the *hornes* whilst their friends milk you.

Consider how absolute a necessity, and how generall a resolution there is, that all things should return to their old channell: If you stop the violence of this Torrent, it will swell until it overwhelm and drown you. You that are guiltlesse, joyne not with the guilty: you that are guilty, sin no more: there will be mercy for you if you repent, and amend in time. The very multitude of offenders will help to excuse your offences: Let not despair hurry you from one sin to another untill you fall into destruction, as it did *Judas*, whose despair (by all Divines) is held to be a greater impiety then his treachery: by the first, he sinned against the God-head of Christ; by the second, against his Manhood onely.

The Remonstrance and Declaration of the Knights, Esquires, Gentlemen, and Freeholders, in COLCHESTER.

PEtitions (the birth-right of Subjects) are by Law our addresses to our King, (Gods Vice-gerent) *by custome our approaches to the Houses of Parliament (His Majesties great Council,) by them We used humbly to present our modest desires, and were wont to receive answers (as* Gideons *fleece the dew) without noise, yet satisfactory;*

factory; but that was denied our first Petition, and before our second could be ready, our brethren of Surrey *by theirs ecchoed our prayer to both Houses of Parliament, but received their answer (as the Jewes their Law) in thunder and Lightning, a two-edged sword the tongue, and the report of Muskets the voice, which spake nothing but wounds and death.*

We *therefore thus admonished, resolved thus to present our grievances to the World, and our petitions to heaven, for a blessing upon our intended indeavours.*

Our grievances are these:

1. *First, the distraction and threatned ruine of our glorious* Protestant Church, *the neglect and abuse of* Religion, *the destruction of our* Universities, *(the springs of all Learning, Divine and Humane) occasioned by the fierce & ignorant Separatist, set up & maintained as Rulers both in Church and State, by the prevalency and violence of a rebellious and destructive Army, under the command of the L.* Fairfax, *and countenanced by the seeming Authority of a pact, unfree, and over-awed House of Parliament.*

2. *Next, that contrary to the Oath and duty of Allegiance, (from which no power can, nor yet hath pretended to absolve us) our Soveraigne Lord the King is by the designe of the said Army, drawne from His House at* Hampton Court *to the* Isle of Wight, *and there by the power of Col.* Hammond *and others of the* Army, *Imprisoned, and detained from His Parliament; by which act the said* Hammond *and all adhering to him, are according to the Votes passed in both Houses,* 16 March, 1641. Enemies to the Peace of the Kingdome.

3. *A third is, the violent and unchristian separation of the* King, His royall Consort and Children, *at once depriving His Majesty of the two first blessings bestowed on Man.*

4. *The forcing the* Queen *and* Prince of Wales, *to seek in a foraine Nation, what in their own they could not enjoy,* liberty, safety, and support.

5. *The exercise of* Martiall Law *while the Courts of Justice are open, and sitting at* Westminster, *the obstructing justice in our Courts of Judicature, and by the private Committee of Indemnity perverting judgment, and exercising arbitrary power, which is a* subversion *of our ancient Lawes, and an introducing of a* tyrannicall government,

as

government, *as was resolved by both Houses in the Cases of the Earl of* Strafford, *and Archb: of* Canterbury, *and writ in their blood.*

6. *Sixtly, the present mischief and future danger to the whole Kingdome, by reason that the publique affaires of highest concern, are managed and carried on by a few particular men in a private Committee at* Derby-house, *wherein (contrary to the self-denying Ordinance) the prime Actors are chief Officers of the Army, and have by our unhappy differences, possest themselves of the most beneficiall Offices and imployments of the Kingdome; and the other Places of profit and commodity, are by their designe conferred on others, Members of the Army and Houses of Parliament, to purchase their compliance and Votes in all matters agitated in the Houses of Parliament: by reason whereof all motions* for His Majesties returne to His Parliament *(the first step to our desired Peace) have been either totally rejected, or by them politickly delaied, because Peace would determine both their* power *and* profit.

7. *The* Estates of Delinquents, *the* Lands of Bishops, Deanes and Chapters, *(designed by severall Ordinances for discharge of* publique Debts*) are by the Houses and power of the Army shared and divided among themselves, while the* publique Debts *be unsatisfied, the common Souldier unpayed, the maymed unrelieved, the Widow and Children of the slaine unprovided for, and all left burdens to the Common-wealth.*

8. *That the Army consisting of mean, ignorant, and illiterate men, (only gilt with hypocrisie, divine and civill) under pretence of* tender Consciences *(the better to induce and tolerate all Heresies) have expelled and suppreſt all* learned Orthodox Divines, & Church Government, *and crying* Liberty, liberty, *have subjected our Persons and Estates to arbitrary Law and tyranny; and by Rape imbracing the* Legislative power, *cuckolds the* body politick, *giving Lawes to the* whole Kingdome, *and yet by* Petitions *and* Remonstrances *make both Houses* father *(as their own) the* adulterous issue.

9. *That this Army assuming to themselves the modelling and setlement both of Church and State, at* Windsor *in* April *last, in their Councell did consult these 3 Questions.*

First, Whether shall we joine with the Levellers, and new modell both Church and State?

Next, Whether with the moderate Party, Treat, and receive

the KING with more qualified and limited Power.

Thirdly, Whether Depose the KING, Dis-inherit the PRINCE, Crowne the DUKE of *Yorke*, and appoint a Protectour.

The first was held to promise most of liberty *and* profit; *but threatned greatest* danger in effecting, *and* difficulty in continuing.

The second was said to be easiest obtained *and* continued, *because nigbest to the present frame and constitution already setled, but would bring them* little of profit, *and* lesse of Soveraignty.

The third (like Benjamin, *last in birth, but first in the Parents affections) was held* not difficult to be acted, *but to be* maintained, *for it would require both the expence of much bloud and money, and the Kingdome to re-act* Yorke *and* Lancaster, *under the names of* Wales *and* Yorke.

To this Lieutenant Generall Cromwell *answered*, It was the better, for that would necessitate the continuance of our Army, which secures our persons, will enforce our reasons, make just our demands, and facilitate their grant, (for the bloud, that will flow from the cheap veines of Common Souldiers, whereof *England* hath plenty, and we will not want) For the Money, *London* is our bank, and from their Purses it shall drain to our Coffers.

Commissary Ireton, *Lieut.Gen:* Cromwel's *Son-in-law, said*, The work was half done; for we have already voted *no Addresses to be made to the* KING, and Him guilty of crimes enough to Depose Him, and by Imprisoning His Person, have fitted Him for a private life, and by it taught the people that He is subject to the dispose of both Houses of Parliament; whose Ordinances are onely powerfull by *our Swords*, and therefore our Actions shall be legall by their Vote. Further, the *Prince* (said he) is link'd with his Father in crime, and therefore cannot be severed in punishment; he hath been Generall in a Westerne Army, warring (as his Father) against the Parliament, a crime that as it rendred the Father fit to be Deposed, so doth it the Son unfit to succeed in the Government. And that the discent of the Crown purge not him, (as it did *Hen. 7.*) let us in the Fathers life time Crown the *Duke of Yorke*, now in our power, whose tender years have preserved him innocent, and presents him fitter for protection

and

and our designe, and should any blame our severity towards the *King* and *Prince*, others will commend our clemency towards the *Duke of Yorke*.

Upon the result of this Councell, L. Gen: Cromwell *in the House of Commons, tels Mr Speaker,* That it was time to set on foot our great designe, and that such as should not concur in Votes with us, be not continued of us.

The motion being mis-timed, and divers of his Party absent, it was only wondred at by Master Knightly, *and died with the words. The Scene now alters from* Westminster *to* Carisbrooke Castle, *and the King that could not be removed by* Votes, *must now by* Poyson, *the Actor Col.* Hammond, *Major* Rolfe, &c. *all Members of the Army; yet must we by cursed* Excise *that insensibly devours the poor by insupportable* Monthly Taxes, *that impoverish the rich, contrary to Law and our Allegiance, contrary to our Protestation and Covenant (inforced upon us) we must trayterously maintain and pay this Army that trayterously contrive and endeavour the deposall and murder of our Soveraigne Lord the King, the subversion of our Protestant Church, our Fundamentall and known Lawes.*

We therefore declare to the world, that God blessing us, we will with hazard of our lives and fortunes, disband and discipate this Army, the Suppressors of the pure Protestant Religion; *the Imprisoners, and would be the murtherers of their Soveraigne Lord the King, and grand Oppressors of the Common-wealth; then free from Imprisonment our said Soveraign, and him (God willing) restore to His lawfull* Government, just Rights, and Throne in Parliament, *this done, we shall joyfully and readily deposite our justly assumed Armes, and on our knees beg what His Majesty hath often most gratiously offered, and will undoubtedly grant His most Royall and gratious pardon to all His mis-led Subjects, willing to return to their Allegiance, and forward to* bring the King back to His own House.

We therefore hereby earnestly desire and request all loyall and well-affected Subjects, as well Members of both Houses of Parliament as others, to be herein aiding and assisting to us. First, by not recruiting the Forces of the Lord Fairfax. *Next, by withdrawing all aide and assistance from his Army, by with-holding* Excise *and* Monthly taxes *allotted for their Pay and support, and to give us with their prayers such assistance as their Allegiance and opportunity shall advise; and*

we trust that the God that judgeth rightly will crown our loyall action with happy successe, and our successe with a glorious Peace, which is heartily prayed for, and shall (God willing) be resolutely fought for by us, His Majesties loyall and faithfull Subjects in Colchester.

A List of the Names of the Members of the House of Commons: Observing which are Officers of the Army, contrary to the self-denying Ordinance: Together with such sums of Money, Offices, and Lands, as they have given to themselves for service done, and to be done against the KING *and Kingdome.* Corrected and augmented.

Note, *Reader*, that such as have this mark [*] comming immediately before their Names, are Recruiters; illegally elected, by colour of the New Seale, the power of the Army, and voices of the Souldiers, and are un-duly Returned, and serve accordingly.

The first Century.

1. WIlliam *Lenthall*, Speaker of the House of Commons; worth 2000 l. *per an.* Beside rewards for courtesies, (not to say Bribes) Master of the Rolls, worth 3000 l. *per an.* beside the sale of Offices: Chamberlain of *Chester* in the Earle of *Darbies* place: And untill of late Chancellor of the Dutchy of *Lancaster*, worth 1230 l. *per an.* and one of the Commissioners of their great-Seal, worth 1500 l. *per an.* and had 6000 l. given him at one time by the House.

2. *Bulstrod Whitlock*, Commissioner of the great-Seal, worth 1500 l. *per an.* and had 2000 l. given him out of Mr. *George Minn's* estate.

3. *Edmond Prideaux*, formerly a Commissioner for the great-Seal, worth 1500 l. *per an.* Now by Ordinance, practises within the Bar, as one of the Kings Councell, worth 500 l. *per an.* and is Post-master for all Inland Letters, worth 100 l. every Tuesday night, beside his supper, and it was thus got: The Lord *Stanhop*, the

the Post-masters, and Carriers of *England* complained in Parliament, against Mr. *Witherings* and others, touching the carrying of Letters: Whereupon the benefit of forraign Letters were given to the Earl of *Warwick*, worth 5000 l. *per an.* and the Inland Letters to Mr. *Prideaux*, *good Parliament Justice.*

4. *Roger Hill* a Barester of the Temple in no practice, nor of a considerable estate; till this Parliament: Hath now from the House, the Bishop of *Winchestor's Mannor* of *Taunton-Deane*, being the best of *England*; and worth 1200 l. *per an.* when the estates for lives determine.

5. *Humphrey Salway*, the Kings remembrancer in Mr. *Fanshawe's* place, worth 200 l. *per annum.*

6. *Francis Rous*, Provost of *Eaton*, in Dr. *Stewards* place; worth 600 l. *per annum*, and hath got a Colledge Lease worth 600 l. *per annum.*

7. *John Lisle*, Barrester of the Temple, Master of St. *Crosses*, in Dr. *Lewes* his place; being a place for a Divine; and worth 800 l. *per annum.*

8. *Oliver* St. *John*, by Ordinance both Attorney, and Solicitor to the King, worth what he please to make it; and hath the passing of all Pardons, upon Commissions; worth 40000 l.

9. Sir *William Allison*, Alderman of *York*, Clark of the Hamper; worth 1000 l. *per an.* he hath *Crabbe-Castle*, worth 600 l. *per an.* Sometimes the Bishop of *Yorkes* in *York-shire.*

10. *Thomas Hoile*, Alderman of *York*, Treasurers Remembrancer in the Exchequor in Sir *Peter Osborne's* place; worth 1200 l. *per an.*

11. *Thomas Pury* Senior, first a *Weaver in Glocester*; then an ignorant Countrey Soliciter, had 3000 l. given him, and Mr. *Gerrard's* place in the Petty-bag; worth 400 l. *per an.*

12. *Thomas Pury* Junior, Son to the Elder, received of the Kings Rents in *Glocester* and *Wilts*. Clearck of the Peace of *Glocester-shire*; worth 200 l. *per an.* and Captain of Foot and Horse, the first yeer of this Parliament, servant to Mr. *Townesbed*; an Attorney of *Staple* Inne.

13. *William Ellis*, Steward of *Stepney*; worth 200 l. *per an.* and by him sold to one of the Temple.

14. *Miles Corbet*, at the beginning of the Parliament 3000 l.

in debt for himselfe and his Mother, more then he was worth; Now one of the Registers in Chancery; worth 700 l. *per an.* besides Chair-man for scandalous Ministers, worth 1000 l. *per an.* And hath money in his purse.

15. *John Goodwine*, the other Register in Chancery; worth 700l. *per annum.*

16. Sir *Thomas Widdrington*, a Commissioner of the great-Seal; worth 1500 l. *per an.*

17. *Edward Bishe*, Garter Herauld, in Sir *Edward Walkers* place, worth 600 l. *per an.*

18.* *Walter Strickland*, Agent in Holland for the two Houses of Parliament worth to him 5000 l.

19. *Nicholas Love*, Mr. Speakers Chamber-fellow, one of the six Clearks in Chancery, in Mr. *Penruddocks* place; worth 2000 l. *per annum.*

20. Sir *Gilbert Gerrard* much in debt before the Parliament, pay-master to the Army, and had 3 d. *per* pound allowed; besides Gratuities; worth 60000 l. and now Chancellor of the Dutchey; worth 1200 l. *per an.*

21. *Gilbert Gerrard* his second son, Cleark of the Dutchey; and for whose benefit the Cleark-ship of the Assize in *Norfolke* is granted to Mr. *Edward Garret* his Cosen by the procurement of Sir *Gilbert*, and is worth 500 l. *per annum.*

22. *John Selden*, had given him 5000 l. of which he received 2500 pound.

23.* *John Bond*, (Son to *Dennis Bond*, a Parliament-man) made Master of Trinity Hall in *Cambridge*, which Mr. *Selden* refused to accept of.

24. Sir *Benjamin Rudiard* given him 5000 l. *And hath he not deserved it?*

25.* *Lucas Hodges*, Customer of *Bristol*.

26. Sir *John Hipsly*, hath the keeping of three of the Kings Parks, *Mary-bone*-Parke, that was Mr. *Carewes*, *Hampton*-Park, and *Busby*-Parke, and given him 2000 l. in Money.

27. Sir *Thomas Walsingham*, the Honour of Eltham, that was the Earl of *Dorsets*, the middle Parke and house, which was Mr. *Whites*, and hath cut down 4000 Timber Trees.

28. *Benjamin Valentine*, given him 5000 l.

29.* Sir

29.* *Sir Henry Heyman*, given 5000 l.

30. *Denzell Holles*, given him 5000 l.

31.* *Nath: Bacon*, given him 3000 l.

32.* *Iohn Steevens* given him out of the Lord *Astley's* Composition 1000 l.

33.* *Henry Smith*, made one of the six Clearks, worth 2000 l. *per annum.*

34. *Robert Renolds*, had 2000 l. given him; Besides *Abington-Hall*, and the Lands, worth 400 l. *per an.* Hath bought a good pennyworth of Bishops Lands; hath 20000 l. beyond Sea, as he made appeare upon his marriage.

35. Sir *Iohn Clotworthy* Treasurer for *Ireland*, and by the Army charged with defrauding of the State of 40000 l. which may be one reason, the King could never get an Account of the moneyes raised for the *Irish*, though he desired it.

36. *Iohn Ashe*, given him out of Mr. *Iohn Coventrye's* Composition 4000 l. out of Sir *Edward Moseley's* 1000 l. out of Mr. *Edward Philip's* 1200 l. out of Sir *Iohn Towel's* estate 3000 l. And (which is worth all this) is the great Chair-man at Goldsmiths-Hall. *Is not this better then cloathing?*

37.* *Iohn Lenthall*, son to the Speaker, made one of the six Clearks. worth 2000 l. *per annum.*

38.* *Francis Allen* a poor Goldsmith at St. *Dunstans* in Fleet-street, now made a Customer for *London.* In honour of whom, Clipped moneyes are now called (*Allens.*)

39 *Giles Green*, the Receiver of *York-shire*, being put out of his place, got it for his Son in Law; is Chair-man for the Navy, and for Sir *Thomas Dawes* his estate, and what it was worth to him, Sir *Thomas Dawes* his Creditors will tell you; for they got nothing.

40. *Francis Pierpoint*, hath the Arch-bishop of *York's* Lands, lying in *Nottingham-shire.*

41. *William Pierpoint* hath 7000 l. given him, and all the Earl of *Kingston's* personall Estate, worth 40000 l.

42.* *Iohn Palmer*, Mr. of *All-Souls* in *Oxford*, in Doctor *Sheldon's* place a Divine.

43.* *Iohn Blackeston*, a poor shop-keeper in *New-Castle*, was Executor to the Executor of Sir *Iohn Fenner*, trusted with 6000 l. for

l. for Charitable uses, and was sued in Chancery to performe the trust; but got himself returned a Burgesse for *New-castle* by the *Scotch* Garrison there; had 3000 l. given him out of one Gentlemans Composition, and out of others as much as made it up 12000l. as was made appear at a Committee before Mr. *Sandis* of the Temple Chair-man; hath also a Cole-meter's place worth 200 l. *per an.* and the Bishop of *Durham's* Castle at *Durham*, and Lands of great value.

44. *Tho. Ceely*, long a prisoner for debt, help'd out by the Parliament, and made Recorder of *Bridgewater*.

45.* *Thomas Moore*, an Officer in the Custom-house: And his brother, Governour of *Ludlow*.

46.* *Scawine* given him 2000 l.

47. *Isaac Pennington*, twice broke; once Lieutenant of the Tower; a yeer and an halfe Lord Major of *London* before his time; had 7000 l. given him; and hath store of Bishops Lands.

48. *Samuel Vassel* given him 1000 l.

49. *Oliver Cromwell* Lieutenant Generall, hath 2500 l. *per an.* given him out of the Marquesse of *Worcestors* Estate, for which 4000 l. *per an.* is set out at the rate of 2500 l.

50. Sir *William Brereton*, Collonell Generall for the *Cheshire* Forces; hath *Cashobery*, and other Lands of the Lord *Capel* worth 2000 l. *per an.* and the Arch-bishops house and Lands at *Croiden*, where he hath turned the Chappel into a Kitchin. *A goodly Reformation, and fits with his stomack as wel as his Religion.*

51 * *Thomas Waite* Collonel, Governour of *Burley*, where he thrives so well, as he is now buying 500 l. *per an.* who before was not able to buy 5 l. a yeer.

52. Sir *Oliver Luke*, decayed in his estate, Collonel of Horse.

53. Sir *Samuel Luke*, his Son, Collonel, and Scout-Master for the Counties of *Bedford.* &c.

54.* *Thomas Gell*, Lieutenant Collonel to Sir *John Gell*, made Recorder of *Derby*, in Master *Allistrie's* place.

55. *Valentine Walton*, Collonel, and Governour of *Lin Regis.*

56.* *Richard Norton*, Collonel Governour of *Southampton.*

57.* *Edward Harvy*, late a pore silk-man, now Collonel, and hath got the Bishop of *London's* house and Mannor of *Fulham.*

58.* *Edward Rossiter*, Collonel, and Generall of all the

Lin-

Lincolnshire Forces, and Governour of *Belvoir* castle.

59.* Sir *Michael Lievesey*, Collonel, Sequestrator, and plunder-master generall of *Kent*.

60.* *Henry Ireton* (son in Law to Lieutenant General *Cromwell*) Collonell and Commissary-General.

61.* *Richard Salwey*, Collonel, formerly a Grosser's man.

62.* *Iohn Birch*, formerly a Carrier; now a Collonel.

63.* *Thomas Rainsborough*, a Skipper of *Lin*, Collonel, Governour of *Woodstock*, and Vice-Admiral of *England*.

64.* *Robert Blake*, Collonel, Governour of *Taunton*.

65.* *Francis Russell*, Collonel.

66.* *Rowland Wilson*, Collonel.

67.* *Robert Harley*, Collonel, son to Sir *Robert Harley*.

68.* *Richard Brown*, Major-Gen: & Governour of *Abingdon*.

69.* *Peter Temple*, Captaine of a Troop of Horse.

70.* *Iohn Ven* Collonel, Governour of *Windsor*, had 4000 l. given him.

71.* *Algernon Sidney*, Governour of *Dover-Castle*.

72.* *Richard Ingolsby*, Collonel, Governour of *Oxford*.

73.* *Iohn Hutchinson*, Collonel, Governour of *Nottingham*.

74.* Sir *Iohn Palgrave*, Collonel at the siege of *Newark*.

75.* *Edmond Ludlowe*, Governour of

76.* *Cornelius Holland* renteth as much of the Kings Grounds for 200 l. *per an.* as is worth 1600 l. or 1800 l. *per annum*.

77.* *Philip Skippon*, Serjant-Major-General of the Army, Major-Generall of *London*, and Governour of *Bristol*, had 1000 l. *per an.* lands of inheritance given him.

78.* *Charles Fleetwood*, Collonel.

79.* *Thomas Westrow* Cap: under Sr *Michael Livesey*, was nothing worth, until a Captain and a Parliament man; And now hath gotten the Bishop of *Worcestors* Mannor of *Hartlerow*, which proves he hath two good and beneficial Offices.

80. *Henry Marten*, Collonel of a Regiment of Horse, and a Regiment of whores.

81. *Nathaniel Fiennes*, Collonel, once Governour of *Bristoll*, *Thereby hangs a tayle.*

82. *Anthony Stapley*, Collonel, Governour of *Chichester*.

83. *Alexander Rigby*, Collonel and Governour of *Bolton*.

84. *Charles Pym*, Captain of a Troop of Horse.

85. Sir *Arthur Hasterig* Collonel, Governour of *New-castle*, and hath the Bishop of *Durham's* house, Parke, and Mannor of *Aukland*, and 6500 l. in money given him.

86. *William Iepson*, Colonel.

87. Sir *Thomas Middleton*, Major-General for *Denbigh*, and five other Counties.

88. *Godfrey Boswell*, Collonel.

89. The Lord *Gray* of Grooby, (son to the Earl of *Stamford*) Collonel; and hath given to him the Queens Manner-house, Park, and Lands at *Holdenby*, and ther's a great fall of the woods.

90. Sir *William Constable*, Collonel, Governour of *Glocester*, he sold his lands to Sir *Marmaduke Langdale* for 25000l. and is restored to it againe by Parliament.

91. Sir *William Purefoy*, Colonel, and Governour of *Coventry*, fought resolutely against the crosse in the Market-place at *Warwick*, and against the Ancient Monuments in the Earls Chappel in Saint *Maries* Church there; for which he had 1500 l. given him; but when he should have fought with the Enemy, hid himself in a Barley-field, for which a Water-man at Temple-staires, (that had been his Souldier) refused to carry him.

92. Sir *Edward Hungerford*, Colonel, famous for plundering *Warder Castle*; hath the Lands of the Countesse *Dowager* of *Rutland*; worth 1500l. *per an.* and she allowed but 500l.

93. *Harbert Morley*, Colonel, Plunder-Master of *Surrey*.

94. *John Moore*, Colonel of the Guards, and for some time had the benefit of Passes out of *London*.

95. *Walter Long*, Colonel, had 5000 l. and the Office of Register for 4 years.

96. Sir *William Waller*, Generall, and lost 2 Armies, yet a gainer by the employment.

97. *John Allured*, Colonel.

98. *Michael Oldsworth*, no Colonel; but Governour of *Pembrooke* and *Montgomery*, and hath a share with his Lord out of Sir *Henry Compton's* Office; worth 3000l. *per an.* and is Keeper of *Windsor Parke*.

99. *Tho: Scot*, a Brewers Clerke formerly, hath the Bishops House at *Lambeth*.

100. Master

The next Week begins with Monday, 21 *August*, of whose proceedings I can give you onely an imperfect scambling relation: and so shall surcease all farther endeavours in this kind, because I have already delivered enough for your instruction; if God have not appointed you to be led blindfold into the pit digged for your destruction: but principally because my good *Genius* that furnished me with Intelligence, hath now retired himself from acting without hope, to praying with faith, for his Country: being tired out with hearing and seeing so much sin and folly as now reignes at *Westminster*: and I love not much to take newes upon trust from the vulgar Peripateticks of the Hall. The chief things of note were, More Complaints of *Henry Martyn*, who now declares himself *for a Community of Wealth*, as well as of Women; *and protests against* KING, *Lords, Gentry, Lawyers and Clergy*; nay, *against the Parliament it self*, in whose bosome this Viper hath been fostered, and *against all Magistrates*: like a second *Wat Tyler*, all Pen and Inkhorn men must down. His Levelling Doctrine is contained in a Pamphlet, called, [*Englands Troublers Troubled*,] wherein, *All Rich men whatsoever are declared Enemies to the Mean men of* England; and (in effect) War denounced against them.

134 M. *Marti* velling P ses and P ples.

Next, the Ordinance *for tranferring over to the Militia of* London Skippon's *power of Listing men in* London, was passed in the House of Commons: with this Coloquintida in it, *That* Skippon *should name and appoint Commanders and Officers for the Forces listed, to be approved of by the Militia of* London.

135 *Skippon's* stings.

A Letter from *Oliver Cromwell* was read in the House of Commons, *relating his easie Victory over Duke* Hamilton *and Major Gen:* Bayly, (which puts me in mind of *Ovid's* Victory over *Corinna*, of whom he saith,

Victa est, non agrè, proditione sua.)

and containing an admonition *not to hate Gods people who are as the apple of his eye, and for whom even Kings shall be reproved: and exhorting the Speaker* (to whom it was written) *to fulfill the end of his Magistracy, that all that will live peaceably and quietly* (*viz.* in Vassalage to *Oliver* and his Faction; and neglect Religion, Laws, and Liberties) *may have countenance from him.* (God blesse all honest men from the light of *Oliver's* countenance, lest an

13 *Cromwell's* reat Lett 20. *Aug.*

ignis fatuus mislead them from the duties of their Oaths of Allegiance, Supremacy, Protestation, and Covenant) *and they that are implacable, may speedily be destroyed out of the Land.*

137. Martiall Law on.

To prepare the way to whose destruction, it was Ordered, *That an Ordinance be penned, and brought into the House of Commons, to try all such by Martiall Law in the City of* London *as shall be found to plot, designe, or contrive any thing, to endanger the Parliament or City.* And yet *London* is no Garrison now as it was when *Tomkins* and *Challoner* were tried; nor is there any Enemy considerable in the Field; whereby the known Lawes of the Land may not passe currently through the Kingdome: but our known Lawes are not written in bloud; nor are they so flexible as to make all Traytors, the Faction pleaseth to call such.

138. Bayle pressed.

Yet as cruell as these Caco-fuegos of the faction are to some, they have mercy enough for *Ralfe*, whose Bayle was again exceedingly pressed: and that his two Prosecutors *Osborne* and *Dowsett* should be under restraint in his stead; whom they have forejudged (out of the KING's Letter to the Houses) not to be able to prove their information, whereas it may be discretion in the KING not to encrease his danger by acknowledging it.

139. King's to the of *Scotland* from *Haly-burton*.

Saterday, 26 *August*. The KING's Letter to the Committee of States in *Scotland*, *&c.* in Answer to their Letter sent to Him by *Haly-burton* (which Letter was taken from *Haly-burton*, although a publique Minister of State, and allowed by Parliament to carry their Letter to the KING) was read in the House of Commons.

I heare in generall, that it was excellently well penned; and a very just, honest, and peaceable Letter. Yet it was Voted neither to be sent to the Lords, nor to be restored to *Haly-burton*; but damned to close imprisonment in a Box, under Seale; lest the people should know how truly zealous His Majesty is to settle peace in the Land: a mystery their understandings must not be trusted withall.

Prolegomena.

Promises, Protestations, and Covenants, made by this Parliament in behalf of the KING and People.

After a repetition of many good Acts and Concessions obtained by this Parliament of the King for the ease of the people. They say far her, *That other things of maine importance for the good of this Kingdome are in proposition, &c. which yet before the end of this Session they hope may receive some progresse and perfection; As the establishing and ordering the King's Revenue, &c. The Regulating of Courts of Justice, and the abridging both the delaies and Charges of Law Suits, &c. Preventing the exportation of Gold and Silver; and the inequality of Exchanges between this and other Kingdomes; improving the Herring-fishing upon our Coasts, &c.* which things in all their Propositions and Addresses to the King have not been once mentioned. Nor any thing else but what makes for the profit, preferment, and power of a few ambitious Grandees of the Parliament, and Army: in order to which, they demand the *Militia* of a standing Army, with an Arbitrary power to raise what Forces by Land and Sea, consisting of what Persons, and to raise what sums of Money out of every mans Estate, they please: which power the King hath not to give; neither did He nor His Auncestors ever exercise: the onely *Militia* they used having been either *the Posse Comitatus under the Sheriffs*, which is very legall and auntient: or *the Militia of Trained Bands under Lord Lieutenants, and their Deputy Lieutenants*: which is a new invention. Nor did the policy of our Law ever tinst the *power of the Sword*, and *the Purse in one hand*, for feat of enslaving the people. *Remonstran 15 Decemb 1642. Exa Collect: p. 1*

They further Declare, *That it is far from their purpose or desire to let loose the Golden reines of Discipline and Government in the Church to have private persons, or particular Congregations to take up what form of Divine Service they please, because they hold it requisite that there should be throughout the whole Realme a Conformity to that order which the Lawes injoyne.* *Exact Col.*

They farther say there, *That the Gracious favour His Majesty expressed in the Bill for continuance of this Parliament, and the advantage and security which they thereby have from being Dissolved, shall not incourage them to doe any thing, which otherwise had not been fit to have been done.* *Ex. Col. p.*

They conclude the said Declaration thus, *That they doubt not but it shall in the end appear to all the world, that their endeavours have been most hearty and sincere, for the maintenance of the true Protestant Religion, The King's just Prerogatives, The Lawes and Liberties of the Land, and the Priviledges of Parliament, in which endeavours (by the Grace of God) they would still persist, though they should perish in the work.* *Ex. Col. p.*

In their Declaration, 4 June, 1642. The Lords and Commons do declare, *That the Designe of their Propositions for Plate and Money is; To maintain the* *Ex. Col. p.*

Protestant Religion, The King's Authority and Person in his Royall Dignity; The free Course of Justice, The Laws of the Land, (what then becomes of Martiall Law, and Committee Law?) *The Peace of the Kingdome, and Priviledges of Parliament.*

ll. p.340. In their Propositions for bringing in Money and Plate, 10 *June*, 1642. The Lords and Commons declare, *That no mans affections shall be measured according to the proportion of his offer, so that he expresse his good will to the Service in any proportion whatsoever,* (that is, so that he engage with them) yet notwithstanding the 29 *Novemb.* following, the same Lords and Commons appointed a Committee of 6 persons who should have *power to Assesse all such Persons as were of ability, and had not Contributed; and all such as had Contributed, yet not according to their ability,* (which is now looked upon as a Malignancy) *to pay such summes of Money, according to their Estates, as the Assessors, or any 4 of them should think fit, so as the same exceeded not the 20 part of their Estates.* The power is still exercised by all Country Committees to a 5 and a 20 part, charged upon all men; even such as have been destroyed and undone, or laid forth themselves beyond their abilities, for their service to this Parliament.

ll. p.765.

In the *National Covenant* taken by this *Parliament*, and by them imposed upon the Kingdome to be taken *with hands lifted up to the most High God.* 2. The Lords and Commons, *Vow, To maintain the King's Person, Crowne and Dignity; in Defence of Religion, Lawes, and Liberties, &c. To suppresse all Errours, Heresies, Blasphemies, and Schismes; and to defend one another mutually in the same worke with their lives and fortunes:* yet is the same Covenant now cast aside, and called, *An Almanacke out of Date.* Many men have been punished for attempting to keep it. And (I heare) the House of Commons are now upon passing an Ordinance for *Martiall Law to be executed in* London, *upon all such persons, as having taken the said Covenant, shall attempt or designe any thing against the Parliament or City of* London: what is this but to impose a speciall penalty upon such as have taken the Covenant, and leave those that have not taken it free? And who doubts but that the said Councell of Warre shall consist of Anti-monarchicall Schismaticks and Anti-covenanters, for the most part, who shal stretch every word to the utmost extent. And this is now in brewing, contrary to the *Petition of Right*, 3 *Caroli*, and *Magna Charta*; no considerable Enemy being in the Field, and the Courts of Iustice in *Westminster Hall* sitting: nay, I hear (like *Janus Bifrons*) this Law (if I do not miscall it) looks backwards to acts past, as well as forward, contrary to the nature of all Laws, which have an admonishing power to warn men of the evill to come, before they can have a punishing power for evils passed: Therefore the Apostle saith, *Sin is a breach of a Commandement,* (*or Law*) *I had not known sin but by the Law.* The Law therefore must be previous to the sin. How the said Promises and Covenant, and many more have been kept, let the world judge.

What the Promises, Vndertakings, and Proposals of the Army have been in order to settling the peace of the people of this Kingdome, and of the King's just Rights and Prerogatives, and their own Disbanding; are to be found in their many printed *Papers*; which I will here omit, because they had no lawful calling or warrant for such undertakings, and how they have been prosecuted and performed is obvious to every capacity.

100. Master *Ashhurst*, when he went Commissioner into *Scotland*, had the Clerk of the Peaces place for *Lancashire*, and 1000l. in mony given him.

Besides these Offices, Commands, and Gratuities; every Member of the House of Commons, being in all 516. are by their own Order allowed 4l. *per* Week a man; which amounts to 110000l. *per annum*.

By the Ordinance for sequestring Delinquents [1 *April*, 1643.] it was declared, *That their Estates should go for maintenance of the Publick affaires*, and severall Ordinances designed *Bishops Lands for pay of* 200000l. *publick Debt*: Yet by this, and the following Centuries, thou shalt see how both Delinquents Estates and Bishops Lands are by Members of Parliament shared amongst themselves, whilst the 200000l. is unpaid, the publick affairs supported by unsupportable Taxes, and that *Dutch Devill Excise* that insensibly devours the poor, and will impoverish the rich.

These are they that with *Hananiah*, *Break the wooden yoake from our necks*, (28. *Jeremiah*) and put on one of Iron; free us from a little *Ship-money* paid thrice in an Age, and impose as much at once for a *Monthly Tax*; quit us of the *Monopolies of Tobacco*, and set up *Excise on Bread and Beer*. The first easeth the wanton rich man, and the latter grindeth the needy and poor. Yet *these are thy Gods ô London!* these are the Idol-Calves the People have set up and doe worship: These be the *Molec* to whom ye sacrifice Sons and Servants by Troups, Regiments, and Armies, to maintain their *soveraignty*, *rebellion*, and *profit*.

And that these and other their Actions may never be questioned, they *His Majesties loyall and obedient Subjects*, will alwaies *Imprison their* KING, *continue their Army*, *perpetuate their Parliament*, and *intail their Membership* (as the Priesthood on *Levi*) *upon confident Families*, *to furnish them with Votes*, as Mr *Gilbert Gerrard* and his 2 Sons, *Brampton Gurdon* and his 2 Sons, Sir *Robert Harley* and his 2 Sons, 3 *Fines*, 2 *Ashes*, 4 *Stephens*, 4 *Pelhams*, 4 *Herberts*, 4 *Temples*; it were endlesse to name the Father and the Son, Brother and Brother that fils the House: they come in couples more then unclean Beasts to the Arke: 2 *Vanes*, 2 *Purses*, 2 *Chaloners*, 2 *Bacons*, 2 *Pierponts*, 2 *Bonds*, 2 *Onslowes*, 2 *Lenthals*, &c.

thals, &c. And that our *Ecclesiasticks* may comply with our *Temporall Governours*, the Houses abolish (as superstitious because Legall) the *Convocation of learned Divines*, (regularly summoned by the *King's Writ*, and duly *elected by the Clergy*) and the House of Commons nominates *an Assembly of gifted Divines* (indeed wicked *Simons*) that slander the godly *Onias*, (2 *Mac.* 4.) to out him of *his Priests place*; so that at this day there is not one *Assemblyman* but is illegally thrust into anothers *Benefice*, a *Catalogue* of whose Names and Preferments expect shortly, and with them a view of the *Militia* and *Common-Councell-men* of *London*, observing what Places, Offices and Salaries they have from the Houses of Parliament, and then thou wilt know the Reasons of their Votes and Actions in the City.

You see in part what the *Grandees* have done for themselves. Consider after 8 years sitting what they have done for the *people*: when amongst all their Propositions to the KING *for Peace*, hardly any one respects the *good of the People*, but their owne *grandeur and profit*. They demand a *Militia* to keep up this *Army* upon us, which is not the Kings to give. No King of *England* ever governed by a standing Army! They demand likewise power to *raise what Forces for Land and Sea, consisting of what Persons they please to Presse; and to raise what Money to maintaine them out of all mens Estates*, to be laid on at their discretion, and as partially as they please, so that they may favour one Faction, and oppresse the other at pleasure; for, so much the Act for the *Militia* as it is penned imports: and this is more then His Majesty hath power to grant. The late *Militia* of *Trained Bands*, and the *Posse Comitatus* under *Sheriffs* (being the onely legall *Militia* of *England*) will not serve their turnes. It hath alwaies been the policy of *England* to trust the *Militia* and *Sword* in one hand (*viz. the* KING'S) and the *Purse* that should *pay them* in another (*viz. the* PARLIAMENT'S) whereby *one Power* might bound and limit the *other*. For to put the Sword and the Purse into one hand, is to make that hand absolute Master of our Persons and Estates, and so reduce us to absolute slavery under the Arbitrary power of one man: without appeal or redresse. *Awake and look about you good people.*

THE END.